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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 1, January 5, 1945

A Look Ahead

Broadcasting enters upon the new year with high hope and firm resolve. 1944 was a year of unusual activity within the industry and NAB grew in membership and in service. Each day has brought renewed evidence that NAB is serving the industry effectively and satisfactorily. This evidence is in the form of applications of membership from all types and sizes of stations and in requests for services of a wide variety.

At the close of the year NAB had a total of 633 stations and 2 networks in active membership. In addition there were 37 associate members made up of transcription companies, station representatives, equipment manufacturers and market research organizations.

We will shortly embark upon a series of meetings which will take us into every NAB District and to which we are inviting representatives of all stations to attend. We want to render to them a first-hand report of our stewardship. We want to make them familiar with the problems with which NAB is dealing and their relation to those problems. We hope as a result of these meetings that many not now in membership will enroll and thus add strength to the industry's trade association.

We who make up the official family at NAB, and this includes the Board of Directors and the Administrative Staff, are genuinely proud of the record which we have made in the past 12 months, but we realize fully that this record is traceable to the splendid cooperation and support which we have received from those in membership. We pledge ourselves to continued effort in the hope that 1945 may show a record of ever-increasing performance.

J. H. RYAN, President

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N.W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations;* Lewis H. Avery, *Director of Broadcast Advertising;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Paul F. Peter, *Director of Research;* Arthur C. Stringer, *Director of Promotion;* John Morgan Davis, *General Counsel.*

LEA COMMITTEE URGES FCC-INDUSTRY LEGISLATIVE COOPERATION

The Select Committee to investigate the Federal Communications Commission, headed by Clarence F. Lea (D.-Calif.) submitted its report at the close of the 78th Congress. The report, which is a 79 page document, contains some most significant comments on matters of vital interest to all broadcasters. NAB is, therefore, procuring a sufficient supply of the official report to send to all member stations. These will be mailed early next week. Meantime, we feel that the following excerpt from the report should be high-lighted:

"The Communications Act has not been substantially changed since 1934, and in many respects not since 1927.

"The basic need now, from a congressional standpoint, is for a reexamination of the provisions of the Communications Act with a view to their modification to conform to the requirements of administration as demonstrated by the needs of the industry and the Commission since the original acts were enacted. The uncertainties of interpretation, so far as possible consistent with the exercise of the reasonable discretionary powers of the Commission, should be removed. The rights and duties of the industry should be more clearly defined; likewise the powers, duties, and limitations of the Commission should also be considered, and necessary amendments made to conform to good practice and as developed by experience.

"The investigation by this committee has made it conscious of these conditions. The problems presented, however, are important and worthy or thorough consideration, and are primary matters for the appropriate legislative committee of the House. As a practical method of approach to such legislation, this committee would recommend that representatives of the Commission and a limited number of representatives of the various branches of the industry confer together, with a view of concurring, so far as practicable, in legislative changes that will contribute to the improvement of the present law and its better administration. The committee hopes and believes, by patient and friendly cooperation and consideration, a substantial number of the difficulties that now exist can be eliminated or greatly minimized."

In respect to this suggestion Harold Ryan, NAB President, commented as follows:

"The National Association of Broadcasters is very pleased with the suggestion contained in the report of the Lea Committee with regard to radio legislation. As the report points out, the structure of the present legislation dates back to 1927 with amendments passed in 1934. The art of broadcasting has progressed tremendously since 1934 and we thoroughly agree with the report that there is a need for legislative clarification. The NAB is at all times prepared to discuss such proposals with the FCC and to cooperate to the fullest extent in the public interest."

PORTER AGAIN NOMINATED

Paul A. Porter, now serving as Chairman of the Federal Communications Commission under an interim appointment, has again been nominated as a member of the FCC.

President Roosevelt on Wednesday (3), the first day of the new session of Congress, sent Mr. Porter's nomination to the Senate. It will be recalled that Mr. Porter was nominated for the vacancy created by the resignation of Chairman Fly, but the 78th Congress adjourned without having acted upon the nomination. With the adjournment, President Roosevelt gave Mr. Porter an interim appointment as Commissioner and later designated him as Chairman.

SELECTIVE SERVICE CHANGES

Now in process of preparation is an explanation of the effect which the recent statement by James F. Byrnes, Director of War Mobilization and Reconversion issued with regard to Selective Service. A great amount of confusion seems to have been created in the minds of local board members, USES officials, as well as radio broadcasters with respect to the relation of radio broadcasting to the procedures under the new manpower urgencies outlined by Justice Byrnes. We hope to have a special Selective Service Handbook Supplement ready for mailing within the next 24 hours. It will come along just as soon as it can be prepared with absolute assurance of accuracy.

RADIO AGAIN COMMENDED

James Forrestal, Secretary of the Navy, has added his word of commendation to the job done by domestic radio. His letter to Mr. Ryan, which follows, is self-explanatory:

"Throughout 1944, the radio stations of the United States have cooperated splendidly with the Navy in conveying the facts of the war to the public quickly and completely. We appreciate the fine service rendered by the personnel of every station.

"In the days which lie ahead, we will depend even more heavily upon the support of the broadcasting industry."

RADIO CORRESPONDENTS' DINNER ADVANCED

To accommodate certain high Government officials who will be honor guests, the Radio Correspondents Assn. has moved its annual dinner from Jan. 13 to Jan. 11 at the Hotel Statler, Washington, Earl Godwin, president, announced this week.

Invitations have been sent to President Roosevelt, all Cabinet members and key executives in Government as well as radio. Acceptances thus far include Vice-President Wallace, Vice-President-Elect Truman, Associate Justices Reed and Douglas of the Supreme Court, Gen. George C. Marshall, Chief of Staff; Adm. Leahy, Chief of Staff to the Commander-in-Chief; Lt. Gen. Vandergrift, Commandant, Marine Corps; Secretary of the Navy Forrestal; Secretary of the Treasury Mongenthau; Secretary of Agriculture Wickard; Postmaster General Walker; President Niles Trammell, NBC; Paul Kesten, executive vice-president of CBS, and others.

Bob Wood of CBS, Washington, chairman of the entertainment committee, said the four major networks will provide top entertainment. On the committee with him are William Hillman of the Blue, Charter Heslep, Mutual, and Carleton Smith, NBC.

Invitations have gone out to all associate members. The Radio Correspondents Assn. includes 100 working radio newsmen and women in Washington and more than 110 associate members.

ARMY HOUR PAYS TRIBUTE TO RADIO'S TWENTY-FIFTH YEAR

Introduced by a special arrangement of "XXV," musical signature of Radio's Twenty-Fifth Anniversary, Brig. Gen. David Sarnoff, on leave as President of RCA, paid tribute to radio's wartime operation in special recognition of American broadcasting on The Army Hour, NBC, 3:30 P. M. EWT, Sunday, December 31.

Following is the complete script for that portion of the program, furnished NAB by Col. Ed Kirby, Chief, Radio Branch, War Department Bureau of Public Relations, former NAB Director of Public Relations:

MUSIC: "XXV" MUSICAL SIGNATURE.

HERLIHY (Announcer): The musical signature you have just heard is a melodic statement of the International code for XXV—Twenty-Five. You'll hear that signature many times, in the months to come: for it will keynote radio's celebration of its twenty-fifth year of broadcasting. Today, on the eve of radio's quarter-century mark, the Army Hour salutes American broadcasting—and brings you a special message by Brigadier General David Sarnoff, U. S. Signal Corps Reserve, who has recently returned from an extended tour of duty in Europe. General Sarnoff—

SARNOFF: In the early hours of June sixth last, a group of officers in Washington sat in the offices of the Chief, Army Communications Service at radio receivers tuned to London. All over the world, similar groups were waiting—their watches synchronized to Big Ben in London. They were counting the minutes, awaiting the announcement of news for which the people of all the Allied nations had worked and prayed: the invasion of Europe. At exactly 0732 Greenwich Mean Time, came the first communique that Allied Naval Forces under command of General Eisenhower, supported by strong air forces began landing Allied armies on the northern coast of France. In less than a second, the great news had circled the globe.

Immediately after this first "D" Day broadcast, a steady stream of news began flowing from Europe to America that has continued ever since: so that Americans might follow their sons from the beaches of Europe into the heart of Germany. The same swift coverage of our major military activities has continued into the Pacific, when avenging American soldiers hit the Philippines seventy-three days ago.

Through the use of radio transmitters floated on board ship, you heard the news of our landing on Leyte just a few hours after we were established.

This has been the greatest news coverage in history. This has been possible only through the closest cooperation between the American press, radio and Signal Corps, utilizing the technical advances and techniques culminating out of twenty-five years of broadcasting experience in joint service to the nation. Behind this accomplishment lies an almost untold story of heroic effort and team-work, in the field and in the laboratory. This is a radio war. Not a plane flies, or tank moves, or ground force begins an attack without the link of radio communications with headquarters, and each field headquarters with Supreme Headquarters and Supreme Headquarters with the War Department in Washington.

To keep these vital arteries of command and intelligence alive and open is the prime mission of the Signal Corps, from buck private to General.

What these men have done in the field in extending and defending lines of communication in defiance of enemy gun fire, bombardment, maddening enemy technical interference is worthy of the highest traditions of the Signal Corps: to get the message through—come hell or high-water, German or Jap.

We are getting the messages through—to and from command posts—to and from our fronts to the American home front, by means of radio. One of the outstanding examples of this is the Army Hour itself, where a privately operated radio network across the country, places resources at the disposal of the War Department each Sunday afternoon to bring you authentic reports from every part of the world where our men fight and die to preserve all that we hold dear. Already on today's Army Hour we have heard from France and from the Philippines. Later we are to hear from Italy and Luxembourg. This is but one example, a very good example of what twenty-five years of radio broadcasting has brought forth in the life of our nation.

The use of radio as a weapon has become a new feature of modern war. Thousands of Axis troops surrendered voluntarily during the North African campaign because truth soared over their barriers of steel and oppression on the wings of radio. And what remained of the once proud Italian Grand Fleet surrendered to a voice—a radio voice, without a fight.

And the bulletless penetration of words and ideas into the stubborn breasts of the enemy continues by American radio throughout the day and night. Today we have millions of troops on the battle fields of the world. Radio ties them together giving them directives and commands on land, in the skies, on the sea and—at the proper time, world series baseball games, election returns, Bob Hope, Bing Crosby, and all the other nostalgic links with home.

Out of this war will come great advances in the science of electronics, newspapers printed on your radio sets at home, television joining sight with sound and static free radio. These are but highlights standing on the threshold of development.

At midnight tonight, American radio remembers its birth twenty-five years ago. With the Army, it pledges itself to the service of the American people: to victory and to the establishment of peace on earth, good will towards men that can come only from swift communication of ideas and understanding from one nation to another. God speed the day.

WESTINGHOUSE TO AID WITH 25TH ANNIVERSARY MATERIAL

In correspondence with NAB, W. B. McGill, Advertising Manager of Westinghouse Radio Stations, Inc., has revealed that Westinghouse is preparing a complete general story covering twenty-five years of radio in America.

This is to be supplemented by a shorter one, in chronology form, which will receive wide distribution.

Westinghouse radio dates from November, 1920, when KDKA, Pittsburgh, went on the air, therefore much history of early developments is contained in company archives.

McGill states also that material is in preparation which might be helpful to stations in producing programs dealing with the early days of radio. This material will be partly in script form, suitable for use in almost any type show.

Further announcements are expected within a short time relative to the completion and availability of the material.

KPLT FIRST TO SEND 25TH ANNIVERSARY SCRIPT TO NAB

Station KPLT won singular honors of the New Year in being the first NAB member station to provide Washington headquarters with a story of station promotion of its own eighth and radio's twenty-fifth anniversary.

At midnight on December 31, Ernest Jones, station manager went on the air with a three minute greeting to listeners of the area, in which the station's and radio's anniversary were announced and discussed and radio's war pledge repeated. Jones' appearance introduced a two hour New York show which followed.

Station Promotion and Broadcast Material Wanted

NAB earnestly requests tear sheets, copies of station publications and mailing pieces, publicity and scripts of air shows incorporating the subject of Radio's Twenty-Fifth Anniversary. They will create at NAB headquarters an invaluable fund of information and program material for the industry as a whole. Please place the following name on your mailing list and remember to send special material also to Willard D. Egolf, Director of Public Relations, National Association of Broadcasters, 1760 N Street, N. W., Washington 6, D. C.

ALLOCATIONS REPORT SOON

The Federal Communications Commission announced on December 29 that some time on or about January 15, 1945, it expects to issue a proposed report in its recent proceeding "In the Matter of Allocation of Frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles." (Docket No. 6651)

The proposed report will relate to frequencies between 25,000 and 30,000,000 kilocycles and will provide approximately 30 days for the filing of briefs and oral argument before a final decision is announced. At a later time, a similar report will be issued covering frequencies between 10 and 25,000 kilocycles.

RADIO POWERFUL WAR WEAPON

Elmer Davis, Director of the Office of War Information, on Tuesday (2) issued the following statement:

"The importance of the two new OWI radio stations in the Central Pacific is indicated by Japan's quick 'jamming' of our initial programs. The programs originating at the new powerful 100-KW short-wave station KRHO at Honolulu, and relayed by the equally new medium-wave station at Saipan, were 'attacked' within 30 minutes after they went on the air by heavy 'jamming' by Japanese radio, the Federal Communications Commission monitors reported to us.

"The 'jamming' affected only the medium-wave broadcast, while the short-wave, carrying exactly the same program went in without interference, the monitors reported.

"We, of course, expected this normal enemy counter-activity, and were prepared with counter measures of our own to insure a good flow of news and education into Japan.

"There are also 'clear' hours whenever the B-29 bombers are over Japan, for then the Japanese stations leave the air. We may expect compound results from the simultaneous rain of bombs and the flow of truth into Japan.

"The Office of War Information was proud to have its two powerful psychological warfare weapons initiated by carrying the highly significant statements of Undersecretary of State Joseph C. Grew and Admiral Chester W. Nimitz into what Admiral Nimitz so aptly described as 'the very vitals of Japan.'

"Admiral Nimitz's splendid summary of the war in the Pacific to date, we feel, will have considerable effect on the listeners in Japan. Mr. Grew's statement to the people of Japan made clear not only that their troubles of recent years are the result of the seizure of control by the Japanese militarists, but that their future depends on regaining authority over their government's policies and actions.

"That he promised them the truth about the war, as a contrast to the twisted subterfuges their own government has been feeding them, is of paramount importance. It is OWI's job to carry out that promise, and we naturally are pleased, now, to be operating the first radio station penetrating Japan on a wave length that the average civilian set can hear, as well as the powerful short-wave station covering China, India, the Philippines, and Japan.

"We are pleased also to have again the Japanese government's reiteration of its fear of having the truth about the progress of the war given to its people. Between their attempts to 'jam' our broadcasts and our counter measures, we may look forward to a lively battle in this phase of psychological warfare."

BROADCAST TECHNICIANS URGENTLY NEEDED FOR PSYCHOLOGICAL WARFARE OVERSEAS

To maintain the position of domestic broadcasting as an industry which is cooperating with and necessary to the war effort, NAB has maintained close contact with the Office of War Information and has urged stations to make available such personnel as can be reasonably spared to staff the OWI stations in war theaters. Along these lines the NAB Engineering Department is cooperating with the Communication Facilities Bureau of OWI in an effort to staff American broadcast stations in the European and Pacific war theaters. It is planned to fill many of the operating positions through specialized training of radiomen who have had little or no previous broadcast experience. However, there is an urgent need for supervisory personnel such as those who are qualified as chief engineers or installation specialists on broadcast transmitters ranging in power from 1 to 50 kilowatts.

The equipment utilized in this service, which will be installed and operated by the men who volunteer for this service, is of the most modern design. Several types of transmission are used, including radio-photo. These positions offer the practical radioman and the qualified chief engineer an opportunity to perform vital war work and, at the same time, to gain a wealth of practical experience that will be of value in the post war period.

It is fully realized that the broadcast industry has been scraping the bottom of the technical manpower pool for some time. Nevertheless, it is hoped that the management of every broadcast station will carefully review their technical personnel requirements in an effort to offer one or two men for this service on a temporary release basis. Please advise NAB Director of Engineering, Howard S. Frazier, of any men now on your staff or residing in your community who are available. Information as to salaries, physical requirements and working conditions can also be obtained from NAB.

CONFIRMS NEED FOR "HOME TOWN" PGMS.

Michigan's Representative Paul Shafer's December statement, that GI's want more news from home, is in line with the Army's own observation. Otherwise, General Eisenhower would not have requested the broadcast industry, last August, to provide 180 home town shows for global broadcast. Congressman Shafer recently returned from an overseas trip.

In satisfying this need seven more home town shows have been completed. Receipt of the first three programs listed below has been acknowledged by Armed Forces Radio Service, Los Angeles. The other four are en route.

Riverside-San Bernardino—Charles C. Craig, KFXM-KPRO, TFC*

Rochester—Gunnar Wiig, WHEC, TFC*

Troy—Woodbury Carter, WTRY, TFC*

Birmingham—Henry Johnston, WSGN, TFC*—Shipped Jan. 2

Salt Lake City-Ogden—Ralph W. Hardy, KSL, TFC*—Shipped Dec. 29

St. Paul—K. M. Hance, KSTP, TFC*—Shipped Dec. 30

Tampa—W. Walter Tison, WFLA, TFC*—Shipped Dec. 30

The "Let's Go to Town" show from Salt Lake City-Ogden area is the second produced under the direction of Ralph W. Hardy, KSL, Task Force Commander. This is the first multi-allocation area to complete its assignment.

READY "MARCH OF DIMES" CAMPAIGN

Radio plans for the 1945 March of Dimes campaign in behalf of The National Foundation for Infantile Paralysis are almost complete.

The campaign will be launched over CBS, Sunday, January 14, 1:30-1:45 p. m., EWT, by Basil O'Connor, Foundation president, and Harold Ryan, NAB president, who is chairman of the National March of Dimes division.

Serving with Mr. Ryan as co-chairman are four network presidents: William S. Paley, CBS; Niles Trammell, NBC; Edgar Kobak, MBS; Mark Woods, Blue.

Transcriptions

A series of 15-minute, 5-minute and 1-minute transcriptions will be sent all stations, according to Howard J. London, radio director of the Foundation. Receipt will be staggered, some reaching stations after the campaign opens. A packet of live announcements also is to be sent.

Network Support

A number of network sponsored shows will support the campaign as will programs of a number of network advertisers.

NETWORK RECORDING RULE POSTPONED

The Federal Communications Commission today announced that it had postponed for an indefinite period consideration of Order 119 which requires that recordings be made of network programs. This determination was prompted by the fact that the adoption of the rule would require the utilization of scarce material and skilled personnel. While much of this material and personnel is already available and in use, it was felt that the adoption of the rule would require an expansion in this field and the Commission was of the opinion that this expansion should not be undertaken at this time.

The evidence presented to the Commission quite clearly indicates the ultimate desirability of a rule such as that proposed by Order 119, at least for certain types of programs—e.g. speeches, news broadcasts, commentary, etc.. The facts show that in some instances recordings are already being made and preserved. Undoubtedly, the practice will continue and if anything will be expanded.

The amount of information and material presented at the oral argument by the representatives of the industry on a subject as important as this was very meager. With the opportunity for further study presented by the indefinite continuance, it is hoped that the radio industry will be prepared when the Commission once again takes up consideration of the adoption of a regulation requiring the recording of programs to furnish more detailed data concerning the desirability and type of rule which should be promulgated.

FCC MANPOWER SURVEY

The Federal Communications Commission has made available to the War Manpower Commission and to interested groups in the communications industry the names of 1,050 licensed radiotelephone and radiotelegraph operators who have indicated their availability for full- or part-time employment in communications work.

This is the fifth in a series of such lists compiled by the FCC and turned over to the WMC in an effort to relieve current shortages of technically qualified persons in communications jobs.

The FCC began its survey of licensed radio operators in the summer of 1943. So far some 20,000 of the nation's radio operators have been canvassed.

This is the first list containing the names of *radiotelegraph* as well as *radiotelephone* licensees.

The information given on the list includes name and address of the candidate for employment, his draft status, class of license, present employment, his availability for employment in the communications industry and his preference as to branch of the industry.

The Commission, of course, does not certify as to the experience or availability of any person listed but merely sets forth the information recorded on the questionnaire. Additional lists will be released as returns come in.

DICK FISCHER NEW PROGRAM MANAGER AT WHAS

Louisville, Ky.: Dick Fischer has been appointed Program Manager of WHAS, W. Lee Coulson, Manager of the radio station has announced. Fischer succeeds A. W. Marlin who resigned December 15.

Well known to WHAS listeners, Fischer had been newscaster and director of the station's newsroom since November 1938, until he went to KMOX, St. Louis, last July as newscaster.

REPORTS INDEX DELAYED

Due to printing difficulties the Cumulative Index of Volume XII (1944) NAB REPORTS will not be mailed until the mailing of next week's REPORTS.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 8. They are subject to change.

Monday, January 8

WNLC—Thames Broadcasting Corp., New London, Conn.—C. P. to change frequency from **1490 kc.** to **1240 kc.**, 250 watts, unlimited.

Wednesday, January 10

Consolidated Hearing

NEW—Ernest E. Forbes, Jr., tr/as Magic City Broadcasting Co., Birmingham, Ala.—C. P., **1490 kc.**, 250 watts, unlimited.

NEW—Ramon G. Patterson and Louise Patterson (Pursley), d/b as Patterson Broadcasting Service, Birmingham, Ala.—C. P., **1490 kc.**, 250 watts, unlimited.

NEW—Thomas N. Beach, Birmingham, Ala.—C. P., **1490 kc.**, 250 watts, unlimited.

NEW—Courier Broadcasting Service, Inc., Birmingham, Ala.—C. P., **1260 kc.**, 250 watts, unlimited.

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license; **1280 kc.**, 1 KW night, 5 KW day, unlimited.

Friday, January 12

NEW—Newark Broadcasting Corp., Newark, N. J.—C. P., **620 kc.**, 5 KW, unlimited DA-night and day.

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* Task Force Commander.

Federal Communications Commission Action

APPLICATIONS GRANTED

WMPC—The Liberty Street Gospel Church of Lapeer, Lapeer, Mich.—Granted modification of license to change specified hours of operation by adding one hour, 9 to 10 a. m., daily, except Sunday. (B2-ML-1204)

KFJI—George Kincaid and Rachel J. Kincaid (Transferors), Willard D. Miller (Transferee), KFJI Broadcasters, Inc. (Licensee), Klamath Falls, Ore.—Granted consent to transfer of control of KFJI Broadcasters, Inc., licensee of station KFJI, from George Kincaid and Rachel J. Kincaid to Willard D. Miller, for a consideration of $115,000 for 100 shares, or 100% of issued and outstanding capital stock of licensee. (Commissioner Durr voting for hearing.) (B5-TC-407)

LICENSE RENEWALS

KXYZ—Harris County Broadcast Co., Houston, Texas.—Granted renewal of license for main and auxiliary transmitter for the period ending November 1, 1945.

KCRC—Enid Radiophone Co., Enid, Okla.—Granted renewal of license for the period ending November 1, 1947.

DESIGNATED FOR HEARING

WKAT—A. Frank Katzentine, Miami Beach, Fla.—Designated for hearing application for construction permit to change frequency from **1360** to **820 kc.**, increase power from 1 to 50 KW, install new transmitter and directional antenna for night use and change transmitter location. The application is designated for hearing to determine whether the proposed operation would be in conformity with the provisions of Sec. 3.25(a) of the Commission's Rules. (B3-P-3690)

MISCELLANEOUS

WHEB—WHEB, Inc., Portsmouth, N. H.—Granted motion for dismissal without prejudice of application for construction permit. (Docket 6700)

WJZ—Blue Network, Inc., New York City—Petition for enlargement of issues in re applications of KOB for modification of construction permit and license to cover (Dockets 6584 and 6585) was referred to the Commission.

WNEW—Greater New York Broadcasting Corp., New York City. —Granted petition for leave to intervene in the hearing now scheduled for January 18, 1945, on application of WDGY. (Docket 6693)

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah. —Granted in part motion to postpone filing of written appearance in the matter of application for construction permit (Docket 6689), and postponed until ten days after action is taken by the Commission on petition of KDYL for waiver of or an exception or amendment to Sec. 3.25 of the Commission's rules.

Marshall Broadcasting Co., Marshall, Texas.—Granted petition to amend application for construction permit (Docket 6706), and ordered application as amended be retained in the hearing docket.

KGBX—Springfield Broadcasting Co., Springfield, Mo.—Granted motion to intervene in the hearing now scheduled for January 10 on application of Courier Broadcasting Service, Inc., for a new station in Birmingham, Ala.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Granted petition for extension of time to file proposed findings in re Docket 5994, and the time was extended from January 2 to January 12, 1945.

Mississippi Broadcasting Co., Inc., Macon, Miss.—Withheld action on motion for leave to amend application in Docket 6659. Granted motion for additional time within which to file proposed findings and extended same to January 18, 1945.

Thompson Broadcasting Co., Altoona, Pa.—Granted motion for order to take depositions in re application for construction permit, Docket 6698.

Blue Network Company, Inc.—Denied petition filed by Blue Network Co., Inc. (WJZ, New York, N. Y., and KECA, Los Angeles, Calif.), to enlarge the issues in hearing on applications of Albuquerque Broadcasting Co. Radio Station KOB, Albuquerque, New Mexico, for modification of construction permit, for license to cover construction permit, and authority to determine operating power by direct measurement. (Dockets 6584 and 6585)

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Granted application for consent to transfer control of Pacific Coast Broadcasting Co., licensee of Station KPAS, by Wesley I. Dumm, Loyal K. King, Thomas L. Bailey, Clarence A. Nisson, John K. Evans, Emer D. Bates, Maurice Enderle and John A. Smith, through purchase of 43.78% of outstanding, or 1116½ shares common stock, from J. Frank Burke, Sr., J. Frank Burke, Jr., and W. M. Burke, for a consideration of $178,640. (B5-TC-423)

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Granted modification of construction permit, as modified, which authorized change of frequency, increase in power, installation of directional antenna for day and night use and new transmitter, and move of transmitter, for extension of completion date from December 31, 1944, to January 30, 1945. (B1-MP-1787)

APPLICATIONS FILED AT FCC

590 Kilocycles

WFTC—Jonas Weiland, Kinston, N. C.—Construction permit to change frequency from **1230 kc.** to **590 kc.**, increase power from 250 watts to 5 KW, install new transmitter, directional antenna for night use and change transmitter location.

WFTC—Jonas Weiland, Kinston, N. C.—Special service authorization to operate on **590 kc.** with power of 250 watts daytime and 100 watts night for the period ending 1-30-45.

630 Kilocycles

WLAP—American Broadcasting Corp., Lexington, Ky.—Special service authorization to operate on **630 kc.** with power of 100 watts night, 250 watts daytime for the period 2-1-45 to 10-1-45.

640 Kilocycles

NEW—Mike Benton, d/b as General Broadcasting Co., Atlanta, Ga.—Construction permit for a new standard broadcast station to be operated on **640 kc.**, power of 1 KW and limited time using directional antenna from local sunset to sunset at Los Angeles, Calif.

910 Kilocycles

NEW—Howard W. Davis, McAllen, Texas.—Construction permit for a new standard broadcast station to be operated on **910 kc.**, power of 1 KW and unlimited hours of operation, employing directional antenna for night use.

920 Kilocycles

NEW—Reno Broadcasting Co., Reno, Nevada.—Construction permit for a new standard broadcast station to be operated on **920 kc.**, power of 1 KW and unlimited hours of operation, employing directional antenna day and night. Amended: re change in type of transmitter and changes in directional antenna system.

940 Kilocycles

NEW—Independent Broadcasting Co., Des Moines, Iowa.—Construction permit for a new standard broadcast station to be operated on **940 kc.**, power of 250 watts night, 1 KW daytime and unlimited hours of operation. Amended: re change in transmitter site.

950 Kilocycles

WSPA—Spartanburg Advertising Co., Spartanburg, S. C.—Modification of construction permit (B3-P-3384 as modified, which authorized increase in power and changes in directional antenna system) for further changes in directional antenna system.

1070 Kilocycles

KFBI—The Farmers and Bankers Broadcasting Corp., Wichita, Kans.—Construction permit to increase power from 1 KW night, 5 KW daytime to 1 KW night, 10 KW daytime and make change in transmitting equipment.

1230 Kilocycles

KTHT—Texas Star Broadcasting Co., Houston, Texas.—Voluntary assignment of license to Roy M. Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Co.

1240 Kilocycles

NEW—Norfolk Broadcasting Corp., Norfolk, Va.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation. Amended: to change requested frequency to **1200 kc.** and hours of operation to daytime.

1270 Kilocycles

WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—License to cover construction permit (B4-P-3597), which authorized installation of an auxiliary transmitter.

WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—Authority to determine operating power of auxiliary transmitter by direct measurement of antenna power.

1340 Kilocycles

NEW—Sierra Broadcasting Co., Reno, Nevada.—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

1370 Kilocycles

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of construction permit (B1-P-2924 as modified), which authorized change in frequency, increase in power, installation of directional antenna for day and night use and new transmitter and move of transmitter for extension of completion date from 12-31-44 to 1-30-45.

1420 Kilocycles

NEW—Radio Station WKEU, Thomaston, Ga.—Construction permit for a new standard broadcast station to be operated on **1420 kc.**, power of 250 watts and unlimited hours of operation.

1450 Kilocycles

NEW—Greater Huntington Radio Corp., Huntington, W. Va.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Ronald B. Woodyard, Utica, N. Y.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: re change in transmitting equipment.

1490 Kilocycles

NEW—WGCM Broadcasting Co., a co-partnership composed of Hugh O. Jones, William E. Jones and James O. Jones, Biloxi, Miss.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation. Amended: re change in transmitter.

NEW—Joseph Gardberg and Sam J. Ripps, d/b as Mobile Broadcasting Co., Mobile, Ala.—Construction permit for a new standard Broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

KRNR—News-Review Co., Roseburg, Ore.—License to cover construction permit (B5-P-3657) which authorized move of transmitter and studio.

KRNR—News-Review Co., Roseburg, Ore.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—Pacific Agricultural Foundation, Ltd., San Francisco, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on **44300 kc.**, coverage of 19,000 square miles.

NEW—Eagle Publishing Company, Pittsfield, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46300 kc.** with coverage of 10,061 square miles.

NEW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47100 kc.** with coverage of 2,430 square miles.

TELEVISION APPLICATION

NEW—World Publishing Co., Omaha, Nebr.—Construction permit for a new commercial television broadcast station to be operated on Channel #7 **(102000-108000 kc.)**, ESR 976.

NEW—Capitol Broadcasting Corp., Indianapolis, Ind.—Construction permit for a new commercial television broadcast station to be operated on Channel #3 **(66000-72000 kc.)**, ESR 1520.

MISCELLANEOUS APPLICATIONS

NEW—Harvey Radio Laboratories, Inc., Cambridge, Mass.—Construction permit for a new developmental broadcast station to be operated with power of 250 watts using A4, A0 and special emission.

NEW—State University of Oklahoma, Norman, Okla.—Construction permit for a new non-commercial educational broadcast station to be operated on **42300 kc.**, power of 3 KW and special emission. Amended: re change in type of transmitter.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission issued no complaints this week.

CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

E. J. Brach & Sons, Chicago candy manufacturer, has been ordered to cease and desist from violation of the Robinson-Patman Act by knowingly inducing and receiving favorable discriminations in price on its purchases of glucose, one of the principal ingredients used in the manufacture of candy. (4548)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Walter Camp, et al.—A stipulation to cease and desist from certain representations in connection with the sale of a vitamin preparation designated Vitapan, advertised as being capable of restoring original color to gray hair, has been entered into by Walter Camp and Werner Orbach, co-partners whose places of business are at 3040 14th St. N. W., and 619 12th St., N. W., Washington, D. C., and who trade as The Vita Health Food Co., Nutritional Products Co., American Health Products Co., and Eastern Health Food Stores Assn. (3948)

Consolidated Carpet Mills, 134 North La Salle St., Chicago, entered into a stipulation to discontinue using the word "Mills" as part of their trade name, or any other word of like meaning that tends to convey the belief that they own and operate or directly and absolutely control a factory where the carpets they sell are manufactured. (3953)

Halco Chemical Corp., 551 Fifth Ave., New York, has stipulated that it will cease and desist from representing that the compound it sells under the name Whippet is an instant fire extinguisher successful against all types of fires and is an adequate or dependable preparation for putting out bomb, household, factory, forest, lumber or straw fires. (3950)

C. H. Hood & Company, Inc.—Under a stipulation, C. H. Hood & Co., Inc., trading as Gro-Plant Foundation, 683 Broadway, New York, agrees to cease representing that the product it sells under the name "Gro-Plant" is a complete plant food, contains all the nourishment of rich soil, and that results are assured through its use. (03240)

Pepgo Chemical Products Co., 2301 North Park Ave., Philadelphia, stipulated that in connection with the sale of a battery compound designated "Pepgo" he will cease and desist from representing that it forms a new doubly efficient electrolite, eliminates battery charging, makes battery troubles almost obsolete, prevents sulphation or overheating, does not permit the battery to go dead, or that such results can be obtained by only one treatment or any number of treatments with Pepgo. (3952)

Philadelphia Organic Laboratories, San Diego, Calif., stipulated that it will discontinue misrepresenting the therapeutic properties of three medicinal preparations collectively referred to as "Maro-Glan" and individually designated "Maro-Glan No. 1," "Maro-Glan No. 2" and "Maro-Glan No. 3." (03241)

Progressive Educators, 2452 Peachtree Road, N. W., Atlanta, Ga., have entered a stipulation to discontinue mispresentation in the sale of a set of books entitled "Wonderland of Knowledge." (3949)

Tamms Silica Co., 228 North La Salle St., Chicago, engaged in the sale of a product designated "Sani-Litt," advertised for use in poultry houses, stipulated that it will cease representing that the product is dustless, absorbs all odors and keeps poultry houses smelling sweet and clean for 8 to 10 weeks with one application. (3951)

DAVIS HEADS FTC

Ewin L. Davis, of Tennessee, becomes Chairman of the Federal Trade Commission on January 1, to serve during the calendar year 1945. He succeeds Commissioner Robert E. Freer, of Ohio, who has been Chairman during 1944. The chairmanship of the Commission rotates annually among its members.

Commissioner Davis previously served as Chairman during 1935 and 1940. He was appointed to the Commission as a Democratic member, by President Roosevelt, on May 23, 1933, and was reappointed on July 14, 1939, for the seven-year term authorized by statute.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 2, January 12, 1945

PLATTER TURNER DISPUTE BACK TO NLRB

Alleging an "unfair labor practice" on the part of the National Broadcasting Company and the Blue Network, the National Association of Broadcast Electricians and Technicians (NABET) has again taken the matter to the National Labor Relations Board (NLRB).

It will be recalled that NABET filed an unfair labor practice charge against the two networks in March of last year with the regional office of the NLRB in New York. The NLRB decided on November 24, 1944 (NAB REPORTS, page 441) in favor of NABET and awarded jurisdiction over all technicians, including platter turners (outside of Chicago), to NABET and specifically denied the A. F. of M. jurisdiction over them.

Following this decision, NABET entered into negotiations with the networks which have evidently now come to an impassé. This resulted in the filing of the new charges before the Labor Board. If the Board finds that the networks have indulged in an unfair labor practice, a Cease and Desist order will be issued and if disobeyed, the Circuit Court will be asked to enforce it.

This recent move rose out of the persistent activity of James C. Petrillo in insisting that the networks fulfill an agreement which they are alleged to have made with Petrillo for the hiring of A. F. of M. platter turners in all of their M & O stations. Following the alleged agreement, the NLRB proceedings were had, but despite the ruling against him Mr. Petrillo insisted, that the networks carry out their alleged agreement.

RADIO BILLS INTRODUCED IN NEW CONGRESS

Early in the First Session of the Seventy-ninth Congress Radio Legislation has been confined largely to the reintroduction of bills which were before the previous Congress.

Chairman Wheeler has called an executive session of the Senate Interstate Commerce Committee for 10:30 a. m., Monday, January 15, to consider the confirmation of the nomination of Mr. Paul A. Porter as a Member of the Federal Communications Commission.

Senator McFarland has introduced a resolution on behalf of himself and Senators Wheeler and White calling for the continuance of authority for the Senate Interstate Commerce Committee to investigate International Communications by wire and radio and increasing the limit for expenditures of the Committee by $10,000. The Resolution has been referred to the Senate Interstate Commerce Committee.

Senator Vanderberg of Michigan has reintroduced his bill dealing with the Petrillo situation. It is S-63 and is exactly the same as the bill which passed the Senate in the closing days of the previous Congress but was never acted upon by the House. It prohibits interference with cultural or educational programs broadcast on a sustaining basis. The bill has been referred to the Senate Interstate Commerce Committee.

Representative Holmes (R), Massachusetts, has introduced H. R. 1109 To Amend the Communications Act of 1934 as amended. It is similar in many respects to the Bill which he introduced in the previous Congress. It has been referred to the House Committee on Interstate and Foreign Commerce.

FCC FILES ANNUAL REPORT WITH CONGRESS

Following is the letter of transmittal sent by Chairman Paul A. Porter which was sent simultaneously to the Senate and the House of Representatives.

FEDERAL COMMUNICATIONS COMMISSION
Washington 25, D. C., January 9, 1945

TO THE CONGRESS OF THE UNITED STATES:

In accordance with the requirement of Section 4(k) of the Communications Act, the Tenth Annual Report of the Federal Communications Commission for the fiscal year ending June 30, 1944, is submitted herewith.

Significant activities of the Commission since the close of the fiscal year include the following:

Allocation hearings for a complete review of the spectrum from 10 kilocycles to 30,000,000 kilocycles to determine the post-war frequency needs of the various radio services were conducted by the Commission, sitting en banc, from September 28 through November 2. During 25 hearing days, the Commission heard 4559 pages of testimony by 231 witnesses, including representatives of the radio industry, of other interested organizations and government agencies and by members of its own staff, and received 543 exhibits. Most of the industry recommendations were presented by the 13 panels of the Radio Technical Planning Board which, since its inception one year before, had conducted detailed studies. At the close of the calendar year, the Commission was studying the various recommendations and conferring with the Interdepartment Radio Advisory Committee preparatory to issuing proposed findings.

Some 35 witnesses representing a dozen railway systems, industry and government agencies who testified in the Commission's railroad radio hearings September 13 to 18 were unanimous in recommending some type of radio communications on trains for increased safety and efficiency regardless of the communication and signalling techniques now in use. The testimony provided a basis for the consideration of providing frequencies for radio in railroad operations at the general allocation hearings which opened September 28. The railroad radio hearings were held before Commissioners Paul A. Walker (chairman), Norman S. Case and E. K. Jett.

Concerned by the high prices being paid for radio stations, the Commission on July 24 asked the Congress for guidance on the policy it should follow in passing on the sale of stations where the sales prices are far in excess of the going-concern and physical property values of the stations and appear to involve compensation for the radio frequencies themselves. The statute makes it clear that the frequencies are not in any way the property of the licensees, the Commission pointed out.

A report, "Preliminary Studies on Some Aspects of the Availability of Landline Wire Communications Service," issued by the Commission on November 15, disclosed the limited availability of telegraph service and a decline in

(Continued on page 10)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N.W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations;* Lewis H. Avery, *Director of Broadcast Advertising;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Arthur C. Stringer, *Director of Promotion;* John Morgan Davis, *General Counsel.*

FCC FILES ANNUAL REPORT WITH CONGRESS

(Continued from page 9)

farm telephone service. The report showed that only 5.2 per cent of the cities in the 5,000-25,000 population group, only 18 per cent in the 25,000-50,000 group and only 49 per cent in the 50,000-100,000 group have telegraph offices always open. From 1920 to 1940 farms having telephones decreased 39 per cent.

As part of an over-all program agreed to earlier in conferences with the Commission, the American Telephone & Telegraph Company filed tariffs from August through December putting into effect new reduced rates on overseas telephone calls between the United States and several points in South America, Central America, the West Indies, Bermuda and Hawaii.

To give the public fuller information concerning the source and kind of payment received by radio stations for sponsored programs, including political broadcasts, the Commission on December 12 adopted a rule requiring appropriate announcements.

Respectfully,

Paul A. Porter,
Chairman.

Following is the Commission's summary of the Report:

"Fostering improvement of American wire and radio services at home and abroad despite extra wartime burdens, obtaining substantial common carrier rate reductions and preparing for far-reaching postwar communications developments were highlights of the activities of the Federal Communications Commission during the past fiscal year.

"The number of standard broadcast stations increased from 912 to 924, the additional permits having been issued to applicants who showed that the grant would serve an outstanding public need and that they had materials available. In line with its fundamental policy of encouraging diversification of ownership, the Commission prohibited ownership by one person of more than one station in the same locality. Another expression of this policy, the network rules, effective since June 15, 1943, had a full year of operation during the period covered by this report. It is apparent that program service throughout the nation has benefited through increased competition between networks and the extension of network service to a greater number of stations. In recognition of the advancement of the radio art and the growth of the radio industry, the Commission increased the standard broadcast license period from two to three years. Revenues of networks and broadcast stations increased 19 per cent over the previous year.

"At the close of the fiscal year 47 frequency modulation (FM) stations were operating, with an estimated 500,000 FM receiving sets in use. Indicative of the expansion to be expected when materials and manpower are available was the total of 202 applications on file for permits to construct new FM stations. In the field of television, six commercial stations and two experimental stations were rendering program service and 52 applications for commercial stations were on file.

"Wartime demands for telephone service continued to mount during the year. Traffic of the Long Lines Department of the A. T. & T., for example, was one-seventh heavier than last year but the speed of service improved. Reductions of approximately $8,000,000 annually in interstate rates were agreed to by the Bell System Companies, following negotiations by the Commission with the A. T. & T. On December 10, 1943, the Commission held that surcharges on interstate and foreign toll calls from hotels, apartment houses and clubs in the District of Columbia were subject to regulation by the Commission, and it ordered the telephone companies to file proper tariffs. The Bell Companies throughout the country subsequently filed tariffs having the effect of requiring the discontinuance of the surcharges by such establishments. This matter is now being contested in the courts. The elimination of these surcharges would result in an annual saving of over $2,000,000 to users, in addition to the rate reductions of $8,000,000 mentioned above.

"Improvement in the financial condition of the domestic telegraph industry has resulted from the merger of Western Union and Postal Telegraph which was approved by the Commission September 27, 1943. There was also an improvement in the speed of telegraph service. The time required for the fastest 95 per cent of ordinary full rate messages to pass through Western Union message centers was reduced from 14.1 minutes to 10.1 minutes.

"Radiotelegraph carriers have been able to maintain efficient communication with various countries throughout the world and even to establish new circuits. Prior to the allied invasion operations in Italy and France, the Commission assisted the Joint Chiefs of Staff and the Board of War Communications in making arrangements to have the United States companies install and operate semi-portable stations in the invasion areas for the speedy handling of press and government messages.

"Many reductions in international rates were made during the fiscal year and the Commission ordered an investigation of the rates and charges of all carriers. A delegation consisting of a Commissioner, a Commission staff member and a representative of the State Department conferred with officials of a number of South American countries with the result that several of the nations agreed to the reduced rates provided for in an order issued by the Commission on June 22, 1943.

"Following several disastrous train wrecks in 1943, wide interest developed in the experimental use of radio on railroads and during the year 35 applications for railroad radio authorizations were received by the Commission. Many of these were granted. On May 2, the Commission ordered a public hearing to obtain information on the feasibility of the regular use of radio by railroads to promote efficiency and safety.

"Technical studies inaugurated by the Commission during the year included the Low Frequency Recording Project, the Very High Frequency Recording Project and the Determination of Origin of Burst Signals.

"The Radio Intelligence Division (RID), which is charged with safeguarding the nation's radio channels from misuse, investigated 1895 complaints of illicit of subversive transmission and of interference; located 32 unlicensed stations and continued to render emergency direction finding service to aircraft. The Foreign Broadcast Intelligence Service (FBIS) regularly monitored programs from stations in 55 countries in 41 languages for the use of agencies of this and allied governments.

"To assist in the transition of the radio communications industries from wartime conditions to the many new and enlarged opportunities of peace, the Commission began extensive studies for frequency allocation hearings. Simultaneous studies were conducted by the Interdepartment Radio Advisory Committee on which the Commission is represented, and by the Radio Technical Planning Board, representing industry groups. The Commission assigned staff members as observers at meetings of the RTPB and also made information available. Near the end of the fiscal year, the Commission set up a committee composed of representatives of all of its departments and divisions to develop plans for a public allocations hearing. It was deemed necessary to complete such a review of the spectrum and make allocation recommendations as soon as possible for forthcoming telecommunications conferences and to enable manufacturers to prepare for the production of new apparatus designed on the basis of such recommendations as soon as the facilities and manpower are available for the manufacture of civilian radio equipment.

"The Commission, on January 13, 1944, closed the record and dismissed the investigation into the newspaper ownership of radio stations. The Commission concluded, in the light of the record in the proceeding and of the grave legal and policy questions involved, not to adopt any general rule regarding such ownership."

FTC REPORTS ON ADVERTISING COPY

The Federal Trade Commission in its annual report has the following to say in connection with radio and periodical advertising:

In connection with its continuing survey of radio and periodical advertising, the Commission during the fiscal year examined some 308,000 newspaper, magazine, and other periodical advertisements and more than 627,000 radio commercial continuities, of which 22,350 (7.26%) advertisements and 19,500 (3.11%) continuities were designated for further review as containing possibly false and misleading representations of the products advertised. This work involved examination of advertisements in 1,792 editions of representative newspapers and 967 issues of magazines and farm and trade journals, 1,304 pages of almanac advertising, and catalogs of 54 mail-order houses. In addition, an average of 4,866 pages of radio script was read each working day.

Of the radio and periodical cases thus developed, a large majority were adjusted by the Commission's procedure under which an advertiser is extended the privilege of entering into a stipulation to cease and desist from the false and misleading advertising practices involved.

Discussing its work in the field of radio and periodical advertising, the Commission says that its only object "is to prevent false and misleading advertisements. It does not undertake to dictate what an advertiser shall say, but merely indicates what he may not say under the law. The Commission believes its work in this field has contributed substantially to the improvement that has been evident in recent years in the character of all advertising. * * *

"In general, the Commission has received the cooperation of the four nation-wide network chains, 19 regional network groups, and transcription producers engaged in preparing commercial radio recordings; and of 850 commercial radio stations, 504 newspaper publishers, and 458 publishers of magazines, farm journals, and trade publications. It has observed a desire on the part of these broadcasters and publishers to aid in the elimination of false and misleading advertising."

NEW SENATE INTERSTATE COMMERCE COMMITTEE

The Senate Interstate Commerce Committee to which Communications Legislation is referred for Senate consideration will differ substantially from that of the last Congress. The late Senator Ellison D. Smith (D) South Carolina, and Senator D. Worth Clark (D) Idaho, were defeated for reelection. Senators Homer T. Bone (D) Washington, resigned to accept a judgeship and Harry S. Truman (D) Missouri, will resign to become Vice-President on January 20. Senators Wagner (D) New York and Hill (D) Alabama, have resigned from the Committee to accept other Committee assignments.

New members will be Senators Olin D. Johnston (D) former Governor of South Carolina, Clyde R. Hoey (D) former Governor of North Carolina, Francis J. Myers (D) Pennsylvania, former representative from Philadelphia and Brien McMahon (D) Connecticut.

This will result in only six of the twelve Democrat members of the Committee during the 78th Congress, remaining on the Committee for the 79th Congress. The only change that has been made in the Republican members of the Committee is Homer E. Capehart, Indiana, replacing C. Wayland Brooks.

Membership on the Committee as presently constituted is:

Democrats	*Republicans*
Burton K. Wheeler, Mont., *Chairman*	Wallace H. White, Jr., Me.
Alben W. Barkley, Ky.	Warren R. Austin, Vt.
Harry S. Truman, Mo.	Henrick Shipstead, Minn.
Edwin C. Johnson, Colo.	Charles W. Tobey, N. H.
Tom Stewart, Tenn.	Clyde M. Reed, Kans.
James M. Tunnell, Dela.	Chan Gurney, S. D.
Ernest W. McFarland, Ariz.	Albert W. Hawkes, N. J.
Clyde R. Hoey, N. C.	E. H. Moore, Okla.
Olin D. Johnston, S. C.	Homer E. Capehart, Ind.
Brien McMahon, Conn.	
Francis J. Myers, Penna.	

RADIO
1920 - 1945
XXV

25TH ANNIVERSARY WAR PLEDGE TO BE DISTRICT MEETING TOPIC

Radio's Twenty-Fifth Anniversary "Pledge to Victory" will be one of the important topics on the agenda for NAB District Meetings, beginning next week.

The industry's promise of an increased war effort throughout 1945 will be discussed in sessions presided over by District Public Relations Chairmen, who will outline the war job as the reason for the year long observance, with references to radio's quarter century of operation purposely relegated to second place. The possibility of setting aside a week or some other period later in the year, if war conditions permit, for a brief nation-wide recognition of radio's twenty-fifth year, will be considered as part of the original NAB plan.

Methods and ideas for Anniversary programming, advertising, promotion, publicity, sales and public relations will be sought from station men in attendance.

Material is being sent from NAB headquarters to District Public Relations Chairmen for use in the meetings.

EGOLF PRESENTS A.F.A. CHARTER TO LYNCHBURG ADVERTISING CLUB

Phillip Allen, General Manager of WLVA and the Tri-City Network, officer and one of the organizers of the Lynchburg Advertising Club, introduced Willard Egolf to a banquet of advertising men and women Monday, January 8, when the latter brought the Charter of Affiliation with the Advertising Federation of America to the Virginia city.

Egolf, NAB Director of Public Relations, presented the Charter as Vice-President of the Advertising Federation of America, in which office he is now serving his third term.

Speaking on the position of advertising under the "free speech" amendment to the Constitution, Egolf pointed out that an advertisement is as much a symbol of free speech as an editorial. "A man who has something to sell has as much right to speak as a man who merely has something to say, so long as he tells the truth," he stated. "Advertising not only supports free speech; it *is* free speech."

Egolf described advertising's tremendous stake in victory and protection of the "free speech" principle, hailing the great job it has done nationally and locally. "A city with an organized ad club is fortunate," he declared. "Civic leaders may turn over war drives and civic projects to the ad club with assurance of a first class advertising and promotion job. City fathers just have to be sold on the idea of doing this instead of singling out some individual for the task, who usually is a member of the ad club anyway."

NAB RESEARCH COMMITTEE MEETS

The first meeting of the 1944-45 NAB Research Committee was held in Washington January 8. Chairman Roger W. Clipp, President of WFIL, Philadelphia, Pa., presided over the meeting. Others attending were: Martin B. Campbell, WFAA, Dallas, Texas; John K. Churchill, CBS, New York; Edward F. Evans, WJZ, New York; Barry T. Rumple, NBC, New York; Dale L. Taylor, WENY, Elmira, New York; John C. Tully, WJAC, Johnstown, Pa.; and, Paul F. Peter, NAB Director of Research, who serves the committee as secretary. George M. Burbach, KSD, St. Louis, Mo., was the only member of the committee who was unable to attend. Hugh M. Feltis, newly elected President of the Broadcast Measurement Bureau, attended the meeting as a guest. Helen H. Schaefer, NAB Assistant Director of Research, also attended.

The agenda for the meeting included the following subjects: 1. Broadcast Measurement Bureau matters; 2. Standard calculation of radio's contribution to the War Effort for War Advertising Council; 3. Annual estimate of radio ownership; 4. Audience Measurement project; and, 5. Future projects.

The meeting was originally scheduled for two-day sessions. However, the second day was cancelled because of the scheduling of a meeting of the Broadcast Measurement Bureau Board of Directors on which Roger Clipp serves as Secretary-Treasurer.

Most of the meeting was devoted to Broadcast Measurement Bureau matters during which the research phases of the project were discussed with Hugh Feltis. Edward Evans made a report of his Sub-committee on Sample Requirements and submitted the final report of the Sample Consultants retained by the Research Committee. Short discussions were had on the War Advertising Council matter and the annual estimate of radio ownership. The remainder of the agenda will be carried over to the next meeting of the Research Committee which will probably be held during the latter part of February.

SHIP FIVE MORE GLOBAL SHOWS

Two west coast "Let's Go to Town" programs, one from mid-continent, Great Lakes Region, one from the east coast were shipped to Armed Forces Radio Service this week.

The present schedule of three home town shows per week will be increased to six per week as soon as stations overtake the existing production deficit.

The completed programs are from:

Charleston, S. C. area, John M. Rivers, WCSC, TFC*
Cleveland area, Vernon H. Pribble, WTAM, TFC*
Santa Barbara area, Frank B. Weltmer, KTMS, TFC*
Spokane area, Harvey Wixson, KGA-KHQ, TFC*
Tulsa area, Allan Page, KVOO, TFC*

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* Task Force Commander.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 15. They are subject to change.

Monday, January 15

CONSOLIDATED HEARING

KOMO—Fisher's Blend Station, Inc., Seattle, Washington—Renewal of License (Main & Aux.) **1000 kc.**, 5 KW (Main), 1 KW (Aux.). Unlimited.

KJR—Fisher's Blend Station, Inc., Seattle, Washington—Renewal of License (Main & Aux.), **950 kc.**, 5 KW, Main, DA-N; 1 KW, Auxiliary. Unlimited.

Thursday, January 18

WDGY—Dr. George W. Young, Minneapolis, Minn.—Modification of license to decrease night power and change hours of operation, **1130 kc.**, 250 watts night, 5 KW day. Unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WMBD—H. D. Morgan (Transferor), Carl P. Slane, Frances P. Slane and Elizabeth P. Talbott (Transferees), Peoria Broadcasting Co. (Licensee), Peoria, Ill.—Granted consent to transfer of control of Peoria Broadcasting Company, licensee of station WMBD (and relay stations WAIN, WEKH, WEKI and WPOE), from H. D. Morgan to Carl P. Slane, Frances P. Slane and Elizabeth P. Talbott, for a consideration of $114,750, for 510 shares (or 51%) of the issued and outstanding capital stock of licensee. (Commissioner Durr not voting.) (B4-TC-412)

WING—Great Trails Broadcasting Corp., Dayton, Ohio.—Granted extension of time, until Feb. 16, 1945, within which to comply with the procedural conditions attached to a conditional grant to move a new transmitter site and make changes in directional antenna. (B2-F-3267)

The Constitution Broadcasting Co., Atlanta, Ga.—Granted petition for reinstatement of application (B3-P-2905) for construction permit for a new station to operate on **550 kc.**, 1 KW night, 5 KW-LS, using DA at night, and designated same for consolidated hearing with application of WOPI already in hearing (Docket 6661), and application of Bob Jones College, Inc. (B3-P-3231)

Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, d/b as WAPO Broadcasting Service, Chattanooga, Tenn.—Granted construction permit for new developmental broadcast station to operate on frequencies that may be assigned by the Commission's Chief Engineer from time to time; power 1 KW, upon an experimental basis only; conditions. (B3-PEX-57)

School District of Kansas City, Mo., Kansas City, Mo.—Granted application for construction permit for new noncommercial educational high frequency (FM) broadcast station to operate on frequencies to be assigned by the Commission's Chief Engineer; power 1 KW. (B4-PED-38)

Bob Jones College, Inc., Cleveland, Tenn.—Granted petition for reinstatement of application for construction permit for a new station to operate on **550 kc.**, 1 KW night, 5 KW-LS, unlimited time, and designated same for consolidated hearing with application of The Constitution Broadcasting Co. (B3-P-2905) and application of WOPI. (Docket 6661)

WSAP—Portsmouth Radio Corp., Portsmouth, Va.—Granted construction permit to install a new vertical antenna to replace tower destroyed by hurricane, at a site approximately 265 feet from former location.

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted modification of construction permit, which authorized installation of DA, etc., for extension of completion date from January 20 to April 20, 1945. (B3-MP-1786)

KGGF—Hugh J. Powell, Coffeyville, Kans.—Granted license to use formerly licensed W.E. 106-B main transmitter as an auxiliary, with power of 500 watts night, 1 KW-LS; on temporary basis; conditions.

WNHC—The Elm City Broadcasting Corp., New Haven, Conn.—Granted license to cover construction permit which authorized a new station to operate on **1340 kc.,** 250 watts, unlimited time; also authority to determine operating power by direct measurement of antenna power. This licensee hereunder is granted a waiver of Sec. 3.55(b) and 3.60 of the Commission's Rules upon the following conditions: (a) That approved frequency and modulation monitors will be installed when available; and (b) That frequency checks by an external standard will be submitted weekly until a frequency monitor is installed which meets the approval of the Commission's Chief Engineer. (B1-L-1846; B1-Z-1649)

WRHI—Ernest H. Carroll, et al., c/b as York County Broadcasting Co., Rock Hill, S. C.—Granted license to cover construction permit authorizing a new station to operate on **1340 kc.,** 250 watts, unlimited time; and authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules, upon the following conditions: (2) That approved frequency and modulation monitors will be installed when available; and (b) that frequency checks by an external standard will be submitted weekly until a frequency monitor is installed which meets the approval of the Commission's Chief Engineer. (B3-L-1848; B3-Z-1650)

DESIGNATED FOR HEARING

Capital Broadcasting Corp., Little Rock, Ark.—Designated for consolidated hearing with application of Arkansas Democrat Co., application for construction permit for new station to operate on **1400 kc.,** 250 watts, unlimited time. Site to be determined. (B3-P-3729)

Arkansas Democrat Company, Little Rock, Ark.—Designated for consolidated hearing with application of Capital Broadcasting Corp. application for new station to operate on **1400 kc.,** 250 watts, unlimited time. (B3-P-3760)

MISCELLANEOUS

Mississippi Broadcasting Co., Inc., Macon, Miss.—Deferred action on amended motion for leave to amend application for new station and remove from hearing docket.

WARC, Inc., Rochester, N. Y.; WENY—Elmira Star-Gazette, Inc., Rochester, N. Y.; Rochester Broadcasting Corp., Rochester, N. Y.; The Finger Lakes Broadcasting System, Geneva, N. Y.; Seneca Broadcasting Corp. Rochester, N. Y.—Granted motions filed by these applicants for extension of time from January 4, 1945, to January 19, 1945, within which to file proposed findings of fact and conclusions in re their applications for construction permits, and the time within which WARC, WENY, Rochester Broadcasting Corp., The Finger Lakes Broadcasting System, and Seneca Broadcasting Corp. may file their proposed findings of fact and conclusions was extended to January 19.

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted petition for continuance of hearing on application for renewal of license now scheduled for January 10, and continued same to February 5, 1945.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition for order to take depositions, place of taking to be decided, in re application for renewal of license.

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Granted petition for extension of time in which to file proposed findings in re application for renewal of license, and extended same to January 13, 1945.

Reed D. Smith, Charleston, W. Va.—Granted request for dismissal of application for construction permit to operate on **1400 kc.,** 250 watts. (Docket 6678)

Chatham Broadcasting Co., Savannah, Ga.—Granted petition for leave to amend application for construction permit (Docket 6641), and the application as amended, retained in the hearing docket.

Patterson Broadcasting Co., Birmingham, Ala.—Granted petition for leave to amend application for construction permit, and the application as amended be retained in the hearing docket. The issues to be determined in the hearing were also enlarged to include the following: "To determine the feasibility of the applicant's proposal to furnish programs as well as to maintain synchronization between the master and the booster transmitter."

Courier Broadcasting Service, Inc., Birmingham, Ala.—Granted petition for leave to amend application for construction permit and removal of amended application from the hearing docket.

KTHT—Texas Star Broadcasting Co. (Transferor), Roy Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Co. (Assignee), Houston, Texas.—Granted consent to assignment of license of station KTHT, from the Texas Star Broadcasting Company, a corporation, to a partnership organized by the stockholders of the corporation (Roy Hofheinz and W. N. Hooper), under the firm name of Texas Star Broadcasting Company.

Placed in the pending files, pursuant to Commission policy adopted February 23, 1943, the following applications for new high frequency (FM) broadcast service:

Louis G. Baltimore, Wilkes-Barre, Pa.; Josh L. Horne, Rocky Mount, N. C.; Orville W. Lyerla, Herrin, Ill.; The Patriot Co., Harrisburg, Pa.; and the Times-World Corp., Roanoke, Va.

Thomas N. Beach, Birmingham, Ala.—Denied motion to strike from the record the depositions heretofore and on December 28, 1944, taken in the matter of the application of Ernest E. Forbes, Jr., tr/as Magic City Broadcasting Co. for construction permit; and for authority to take depositions in the matter of applicant's application, without prejudice, however, to the right of applicant Beach to renew his motion at the consolidated hearing on his application, that of Magic City Broadcasting Co. and Patterson Broadcasting Service, all requesting a new station in Birmingham, Ala.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—Denied, without prejudice, petition for reinstatement and consideration of application for construction permit to change frequency from **1260** to **590 kc.,** install DA for day and night use, using present power of 1 KW, both day and night. (B5-P-2918)

KVSF—New Mexico Broadcasting Co., Santa Fe, N. Mex.—Denied, without prejudice, petition for reinstatement and consideration of application for construction permit to change frequency from **1340** to **1260 kc.,** increase power from 100 watts to 1 KW, install new antenna and move transmitter site. (B5-P-2917)

The following applications for new high frequency FM broadcast stations, were placed in the pending files in accordance with the Commission's policy of February 23, 1943:

Memphis Publishing Co., Memphis, Tenn.; Harrisburg Broadcasting Co., Harrisburg, Ill.; Inland Broadcasting Co., Omaha, Neb.; The W. H. Greenhow Co., Hornell, N. Y.

The following applications for new commercial television broadcast stations were placed in the pending files in accordance with Commission policy of February 23, 1943:

Maryland Broadcast Co., Baltimore, Md.; and The Star-Times Publishing Co., St. Louis, Mo.

APPLICATIONS FILED AT FCC

560 Kilocycles

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—License to cover construction permit (B5-P-3659 as modified) which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use.

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Authority to determine operating power by direct measurement of antenna power.

620 Kilocycles

WKAQ—Radio Corporation of Porto Rico, San Juan, P. R.—Modification of construction permit (B-P-3489 as modified which authorized move of transmitter and studio) for extension of completion date from 1-26-45 to 7-26-45.

WKAQ—Radio Corporation of Porto Rico, San Juan, P. R.—Modification of construction permit (B-P-3501 as modified which authorized move of auxiliary transmitter and studio) for extension of completion date from 1-26-45 to 7-26-45.

980 Kilocycles

NEW—Skyland Broadcasting Corp., Dayton, Ohio—Construction permit for a new standard broadcast station to be operated on **980 kc.**, power of 500 watts, and daytime hours of operation; AMENDED to change requested power to 1 KW and make changes in transmitting equipment.

1200 Kilocycles

WFCI—Pawtucket Broadcasting Co., Pawtucket, R. I.—Construction permit to change frequency from **1420 kc.** to **1200 kc.**, increase in power from 1 KW to 50 KW, install new transmitter, make changes in directional antenna for day and night use, and change transmitter location.

1400 Kilocycles

NEW—Chatham Broadcasting Co., Savannah, Ga.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation; AMENDED, re change in transmitter site.

WEOA—Evansville on the Air, Inc., Evansville, Ind.—Voluntary assignment of license to LOMA, Inc.

1430 Kilocycles

KTUL—Tulsa Broadcasting Co., Inc., Tulsa, Okla.—Involuntary transfer of control of licensee corporation from J. T. Griffin, deceased, to John Toole Griffin and Marjorie Griffin Leake, executors under the will of J. T. Griffin, deceased—251 shares common stock.

1450 Kilocycles

NEW—Marshall Broadcasting Co., Marshall, Texas—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation; AMENDED re change in transmitting equipment, antenna and ground system.

1490 Kilocycles

NEW—Ramon G. Patterson and Louise Patterson (Pursley), d/b as Patterson Broadcasting Service, Birmingham, Ala.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, 250 watts power and unlimited hours of operation; AMENDED re changes in antenna system, specify a transmitter site, and request installation of a 250 watt synchronous amplifier.

NEW—George A. Ralston and Jerry C. Miller, d/b as The Elgin Broadcasting Co., Elgin, Ill.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts, and unlimited hours of operation.

1520 Kilocycles

KOMA—KOMA, Inc., Oklahoma City, Okla.—Involuntary transfer of control of licensee corporation from J. T. Griffin, deceased, to John Toole Griffin and Marjorie Griffin Leake, executors under the will fo J. T. Griffin, deceased—50 shares common and 2015 shares preferred stock.

1590 Kilocycles

WAKR—Summit Radio Corp., Akron, Ohio.—Construction permit to make changes in directional antenna system for night use and make changes in the ground system.

FM APPLICATIONS

NEW—WJJD, Inc., Chicago, Ill.—Construction permit for a new developmental broadcast station to be operated on **47700 kc.**, power of 3 KW and special emission for FM.

NEW—Central States Broadcasting Co., Omaha, Nebr.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47700 kc.**, with coverage of 24,000 square miles.

NEW—News-Examiner Company, Connersville, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49100 kc.**, with coverage of 3,020 square miles.

NEW—Nashville Radio Corp., Nashville, Tenn.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46500 kc.**, with coverage of 16,000 square miles; AMENDED to change coverage to 19,100 square miles, change type of transmitter, specify a transmitter site and antenna.

NEW—Truth Publishing Co., Inc., Elkhart, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46500 kc.**, with coverage of 9,757 square miles.

NEW—Contra Costa Broadcasting Co., Richmond, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49500 kc.**, with coverage of 4.940 square miles; AMENDED to change coverage to 2,770 square miles.

NEW—WLIB, Inc., New York, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45100 kc.**, with coverage of 8,430 square miles.

TELEVISION APPLICATIONS

NEW—WDEL, Inc., Wilmington, Del.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 **(50000-56000 kc.)**, ESR 1077.

NEW—The Crosley Corporation, Columbus, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #2 **(60000-66000 kc.)**, ESR 6850.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Fleming & Sons, Inc., 1120 East 12th St., Dallas, Tex., and Albert Couchman, trading as Couchman Advertising Agency, Dallas, are charged in a complaint with misrepresenting the insulating properties of a building paper designated "Wallrite." Fleming & Sons, Inc., is engaged in the sale and distribution of the paper, the advertisements for which are prepared and placed by Couchman. (5264)

Modern Manner Clothes, 315 Fifth Ave., New York, is charged in a complaint with misrepresentation in connection with the sale of women's wearing apparel, in violation of the Federal Trade Commission Act, and with misbranding wool products, in violation of the Wool Products Labeling Act. (5263)

CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week.

Colonial Alloys Company, Colonial Stove Company and Base Products Company, 2154 East Somerset St., Philadelphia, have been ordered to cease and desist from various misrepresentations concerning the nature and size of their business and the purported superior quality of aluminum-base alloys which they sell under the trade name "Colalloy." Edward Engel, an employee of the Cohn brothers who claims to be a chemical engineer, also is named in the order. (4943)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Burstein-Applebee Company, 1012 McGhee St., Kansas City, Mo., stipulated that it will cease and desist from representing that any radio receiving set it sells contains a designated number of tubes or is of a designated tube capacity, when actually one or more of the tubes referred to do not perform the recognized and customary functions of radio tubes in the detection, amplification and reception of radio signals. (3957)

Palm Lodge Tropical Fruit Groves, Homestead, Fla., has entered into a stipulation to cease misrepresenting the therapeutic properties of leaves of the Aloe Vera plant which he sells in interstate commerce. (3954)

Reese Chemical Company, 10617 Frank Ave., S. E., Cleveland, Ohio, stipulated that it will discontinue certain representations in connection with the sale of "Doughboy" prophylactic kits, which are fitted with two tubes each containing a different kind of ointment. (3955)

Rudolph Wurlitzer Company, 121 East Fourth St., Cincinnati, stipulated that it will discontinue representing that any radio receiving set it sells contains a designated number of tubes or is of a designated tube capacity, when one or more of the tubes referred to do not perform the recognized and customary functions of radio tubes in the detection, amplification and reception of radio signals. (3242)

Wizard Products Company, 1527 Irving Park Boulevard, Chicago, entered into a stipulation to cease representing that the skin ointment he sells under the trade name "A-1 Salve" is a competent treatment or an adequate remedy for, or aids in the healing of, eczema, certain types of rash, scalp eruptions, athlete's foot of a deep-seated nature, boils, severe cuts, or ulcers. (3956)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 3, January 19, 1945

FCC ANNOUNCES PROPOSED ALLOCATION

Proposed allocations for the portion of the spectrum above 25 megacycles were announced by the Federal Communications Commission on Tuesday, January 16. Members of the press were given an advance preview at a press conference conducted jointly by the FCC and the Interdepartmental Radio Advisory Committee on Monday, January 15.

Broadcast Services

According to the proposed plan, FM broadcasting will be moved up from 42-50 to 84-102 megacycles. Commercial television will have twelve 6 megacycle channels beginning at 44 mc and ending at 216 mc. Experimental television on the higher frequencies will be assigned channels between 480-920 megacyles. Broadcast relay pickup frequencies are moved from the 30-40 mc region to the 25-28 mc band. Provision is made for the control of standard broadcast satellite transmitters through the use of ultra high frequency radio connecting links in the experimental bands above 1900 mc. Provision is also made for studio-transmitter links to be used by aural broadcast stations. The allocations proposed for the various broadcast services will be set forth in detail under the subheads for each service.

Further Proceedings

The Commission has announced that oral argument on the proposed allocations will be heard by the Commission beginning 10:30 A. M., February 14. All persons desiring an opportunity to appear before the Commission for oral argument have been requested to file a written request with the Commission on or before January 29, 1945. The Commission order further states, "All persons who have filed a request to be heard in such oral argument shall file with the Commission on or before February 9, 1945, twenty-five copies of a brief. As early before the date of the oral argument as possible, the Commission will issue a notice setting forth the order in which the persons may be heard and length of time allotted for the argument."

During the Monday press conference Commissioner Jett called particular attention to a paragraph appearing in the introduction of the proposed report which reads as follows:

"A word of caution should be added. Most, if not all, of the allocations which we propose at this time cannot be placed into effect until after transmitter, receiver and other materials, facilities and manpower again become available for civilian use. The recent trend of events indicates that it will be necessary for the Commission to continue indefinitely, and perhaps strengthen its present policies restricting the use of critical materials and manpower for civilian radio purposes. The Commission, however, does believe that it is in the public interest to announce its proposed allocations at this time so that broadcasters, manufacturers of radio equipment and persons desirous of entering the radio field may be in a position to make whatever advance planning is necessary as soon as possible and so that adequate preparation may be made for future international conferences. In the meantime, the full efforts of the radio industry and the Commission must continue to be devoted to the prosecution of the war."

Television

Commercial television is permitted to remain roughly where it is in the lower portion of the spectrum. Specifically, it now has 18 channels six mc wide at intervals from 50 to 294 mc. The new allocation gives it six channels, also six mc wide, from 44 to 84 mc and six from 180 to 216 mc. This gives television the same number of channels—12—below 225 mc as heretofore. No additional frequencies can be assigned to television between 225 and 300 mc because all these frequencies are required for government services.

However, to permit the development of a system for color pictures and higher definition monochrome pictures through the use of wider channels, the Commission proposes space for experimental television between 480 and 920 mc in the ultra high frequency portion of the spectrum.

Whether television should stay "downstairs" or go "upstairs" was one of the most controversial questions discussed at the allocation hearings.

Explaining this decision, the report says: "The Commission does not believe that broadcast service to the public through the use of a 6-mc channel with the improvements now available over pre-war developments should be abandoned and commercial television held in abeyance, until a wide channel system in the ultra-high frequencies can be developed to operate on wider channels in these ultra-high frequencies is indefinite and primarily dependent upon the resourcefulness of the industry in solving the technical problems that will be encountered."

It was pointed out by the Commission that twelve channels are considered "inadequate for a nationwide television service." However, due to the interspersing of other services between certain television channels, it will be possible to accommodate a maximum of seven 6 mc television channels in some of the large metropolitan market areas. In the congested northeastern region of the country there will be an insufficient number of television channels below 225 mc to provide even a single television station in some of the secondary market areas. But it was pointed out that due to geographical separation, many of the smaller communities in the central and western regions of the country would find it possible to obtain television channels in the lower frequency bands. The Commission expressed the hope that the limited facilities available to television below 225 mc, due to the demands of other important services, might encourage the development of color television in the higher frequency band between 480 and 920 mc.

Since theater television is still in the experimental stage, the Commission has not allocated any specific frequencies for the service but announces that it will consider applications for experimental authorization, in bands being allocated for that purpose. During the hearing it was

(Continued on page 18)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N.W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations;* Lewis H. Avery, *Director of Broadcast Advertising;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Arthur C. Stringer, *Director of Promotion;* John Morgan Davis, *General Counsel.*

FCC ANNOUNCES PROPOSED ALLOCATION

(Continued from page 17)

stated that the major motion picture companies at the end of the war will begin experimentation with the production and exhibition of theater television programs in specific local theaters and with the transmission of such programs to distant cities.

FM

FM Broadcasting, notable for high fidelity and freedom from static, is proposed to be moved from its 42-50 kc space in the spectrum up to 84-102 kc on the grounds that skywave interference in the lower region would be severe enough to impair the utility of FM to such an extent that its full development might be retarded. "Public interest," the report reads, "requires that FM be established in a permanent place in the radio spectrum before a considerable investment is made by the listening public in receiving sets and by the broadcasters in transmitting equipment."

Holding that the present FM allocations—35 commercial channels and 5 non-commercial educational channels—are not adequate, the Commission proposes to assign 90 channels beginning at 84 mc and continuing to 102 mc, of which 20 (84 to 88 mc) will be reserved for non-commercial educational stations. The remaining 70 channels from 88 to 102 mc are assigned for regular commercial use. To provide room for expansion should this space not prove adequate, the space 102 to 108 will be left unassigned for the present and if a need arises in the future, FM stations can be considered along with other services for assignment in these additional 6 mc or in such portions of the space as may be necessary.

In regard to channel width, the Commission stated, "The Commission is of the opinion that an integral part of FM will be lost if the present standards of high fidelity are lowered, or the present signal to noise ratio reduced. The economy of spectrum utilization urged by the advocates of the narrower channel, will be far less than the significant advantages that will be lost by such a change, and accordingly, the Commission proposes to retain the present 200 kc channel." The Commission proposes to make available for immediate assignment only 70 of the 90 proposed channels. The remaining 20 channels will be held in reserve and will be assigned when additional spectrum space is required for FM service in accordance with a licensing policy yet to be determined.

The Commission asserts that the service the non-commercial educational FM stations propose to render "may profoundly affect not only American education but our democratic institutions as a whole."

Five non-commercial educational FM stations were in operation, four under construction, and eight applications on file at the time of the hearing. Approximately 160 educational institutions have written to the Commission expressing interest in this service.

No specific allocation is made for subscription radio, the service which would carry no advertising but would be supported by rental of a device to eliminate a superimposed "pig squeal". If this service proves technically feasible and the Commission decides to license stations of this type, applicants will be permitted to apply for channels in the regular FM commercial band.

As of October 1944, 46 commercial FM stations were in operation, seven were under construction and 248 applications were on file.

Facsimile

To provide for the future growth of facsimile broadcasting—the sending of script, printed or typed matter, sketches, drawings or pictures—the Commission will permit it to use the regular FM channels and also a band between 470 to 480 mc.

Standard Broadcasting

The Commission made no announcement or proposed decisions in connection with proposals to extend the broadcast band to 520 kilocycles. It was pointed out that the allocations now proposed are only for that portion of the spectrum above 25 mc. It is expected that a proposed allocation for the lower portion of the spectrum below 25 mc, including standard broadcasting, will be released in about five or six weeks. The proposal of Panel 4 on Standard Broadcasting that satellite broadcast transmitters be controlled through the use of ultra high frequency radio control circuits received favorable action from the Commission. It is proposed to authorize this service on experimental frequencies above 1900 mc in order that the industry may have an opportunity to develop standards and prove the practicability of such service.

Studio-transmitter links will be moved from the present band, 330-344 mc, to a new proposed band of 900-960 mc. Frequency modulation would be used for this type of service.

Relay broadcast frequencies used to transmit programs from points where wire facilities are not available will be moved from the 30-40 mc region. Sixteen channels are currently assigned in this band and it is proposed to provide twenty-two channels between 25 and 28 mc. These channels will be shared with other services having intermittent operation. At the present time relay broadcast operation is also permitted on eight frequencies in the range 156-162 mc. It is now proposed to reduce this number to four channels. The Commission stated further that the subject will be reviewed if at some future time the needs of this service indicate the necessity of assigning additional channels.

Some Present Services Expanded

Aviation

Heavy demands of the aviation industry for radio channels above 25 mc in the post-war period were granted by the Commission almost exactly as specified. Commission comment on this service: "The importance of aviation to our present and post-war transportation and economy does not require elaboration. Aviation operations are wholly dependent upon the use of radio for insuring the safety of life and property in the air."

Amateur

The allocation plan boosts the number of channels allotted to amateurs, pointing out that this service is one of the oldest in radio and its development closely parallels that of the entire radio art. The Amateur Service is a vast training school and constitutes a huge reservoir of skilled radio operators, experienced in handling radio communications through terrific interference and radio technicians skilled in the building, operation and maintenance of radio equipment; and also renders valuable public service during periods of natural disaster, the report states.

Police Radio

Criminals of the future will find the way of the transgressor harder as the police build up radio communication networks with the greatly-increased number of frequencies allotted by this allocation. The number of channels in the 30 to 44 mc band is increased from 29 to 56. In addition a band from 152 to 156 mc was assigned. With suitable equipment likely to be available in the near future, the Commission has provided channels which will make possible facsimile networks for transmitting photographs and fingerprints from one police department to another and to the FBI in Washington.

Fire Service

Channels are provided for much wider use of radio by fire departments which hitherto have largely depended on an outgrown arrangement of sharing police radio systems. Ninety-two cities of over 100,000 population have indicated their intention of using radio for fire service.

Emergency and Miscellaneous Services

Increased channels are allotted for forestry and conservation radio systems; for electric, gas and water companies, for buses, streetcars, trucks and highway maintenance departments; for oil companies drilling in inaccessible areas, for the location of oil by seismograph recording, for motion picture crews out on location and for press associations and newspapers reporting events at places where regular facilities are not available.

New Radio Services

Railroad Radio

Its week-long hearing in September on the use of radio on railroads having shown that it will contribute to the safety of life and property and should be of almost universal benefit to the public, the Commission has set aside a sizeable number of channels for that purpose.

Citizens Radiocommunications Service

The success of the "walkie-talkie" on the battlefront and the possibilities for its varied uses in peacetime have induced the Commission to allocate the band from 460 to 470 mc for a new radio service to be known as the "Citizens Radiocommunication Service." Small portable radios can be used, for example, to establish a physicians' calling service, for communication to and from trucks and tractors operating in and around large plants, on farms and ranches, on board harbor and river craft, in mountain and swamp areas. Sportsmen and explorers can use them to maintain contact with camps. Department stores, dairies, laundries and other business organizations can use the service to communicate with their delivery vehicles.

Common carrier operation will not be permitted and no charge can be made for messages. Only the minimum requirements of the Communications Act plus a few minimum traffic rules will be set up. No technical knowledge will be required.

Rural Telephone Service

Provision is made for a Rural Telephone Service to furnish a radio-telephone link for isolated communities, farmers, ranchers, miners and others who cannot be or are not served by wire line facilities. The Commission does not set aside specific frequencies for this service but will permit it to share the band of frequencies allocated to television, most of which will be concentrated in urban areas.

Industrial and Medical Service

Three bands are assigned for industrial and medical radio equipment to prevent interference with other radio services.

General Mobile Service

Certain frequencies have been designated for ultimate use by urban and interurban mobile units such as trucks, buses, taxicabs, doctors' cars, ambulances, etc. Before assigning any frequencies in this band, however, the Commission will determine the most efficient plan by which they may be employed.

Demand Bigger Than Supply

Proof of how precious spectrum space has become was the fact that requests for frequencies far exceeded the supply.

Recommendations of the radio industry as to allocations were formulated and presented to the Commission largely by the Radio Technical Planning Board sponsored by non-profit associations and societies interested in radio. The Commission expressed its gratitude to the RTPB "and to those who participated in its studies for the conscientious and thorough way in which this work was done."

As the result of a series of meetings between Commission representatives and the Interdepartment Radio Advisory Committee, there are no conflicts between the allocations proposed in this report for non-governmental services and those which the IRAC considers necessary for the government services. A revised report of the IRAC was released simultaneously with the FCC's report. Both reports are being forwarded to the Department of State for use at international conferences.

PORTER CONFIRMED

The Senate on Thursday confirmed the nomination of Paul A. Porter as a member of the Federal Communications Commission, succeeding James Lawrence Fly. He had been favorably reported by the Senate Committee on Interstate Commerce on Monday.

RADIO BILLS REPORTED

Senate Resolution 24 which was introduced by Senator McFarland on behalf of himself and Senators Wheeler and White was favorably reported to the Senate by the Committee on Interstate Commerce. The resolution authorizes the continuance of authority for the committee to investigate International Communications by wire and radio and increases the authorization limiting the expenditure by $10,000.

The committee also favorably reported S. 63 reintroduced at this session by Senator Vandenberg of Michigan. This bill deals with the Petrillo situation and the bill is the same as passed by the Senate during the closing days of the last Congress but not passed by the House. It prohibits interference with cultural or educational programs. The resolution has been referred to the Senate Committee on Audit and Control.

RADIO
1920 - 1945
XXV

XXV SPECIAL BULLETIN NUMBER TWO ENCLOSED WITH THIS ISSUE

Special Twenty-Fifth Anniversary Bulletin Number Two is enclosed with this issue of NAB REPORTS.

This Bulletin presents the full script of a thirty-minute broadcast over WBNX, New York City, New Year's Day, which catches the spirit of our Anniversary and gives valuable historical data. Since the Bulletin went to press, scripts from other stations are coming in showing how the Anniversary theme has been given local application. As the collection grows, it will be published. Please send yours.

The Bulletin reports on a most interesting visit with "Mac" McGill, Advertising Manager of Westinghouse Stations, Inc., who is throwing open to the industry his vast photo and information files going back to the 1920 founding of KDKA, Pittsburgh. "Mac" promises to handle any requests which come in now and he is preparing considerable material for distribution.

An appeal to the industry to incorporate the "XXV" banner and microphone illustration in house organ title cuts, station schedules, newspaper, magazine and outdoor advertising, stationery and printed matter is supported by the quick action of WCCO, Minneapolis, in that direction.

A digest of the RCA-NBC broadcast of December 2, highlighting events of human interest nature, should provide stations with ideas for reminiscent public event and personality shows.

Anouncement of KMBC's year long trade paper campaign saluting pioneer broadcasting stations on their part in building American radio strikes a new note in industry relations and strengthens our Anniversary observance.

Program Idea

Hearing of our Twenty-Fifth Anniversary year, a woman said recently: "I remember when they let school out in 1925 so the children could go home and listen to the inauguration of President Coolidge over the radio." That word picture of early radio could be built into a complete program, ending on the expanded educational theme of "D-Day" broadcasts in schools all over America—an excellent application of our Anniversary theme to the war effort. Program ideas such as this one should exist abundantly in every community in this country, obtained right from the listeners who have been with us through the years. *Talk to them. Ask for their stories by mail.* Give prizes for the best and most significant stories of early day radio listener experiences.

XXV Musical Signature

If you want to hear how the "XXV" Musical Signature might be built into a complete symphonic movement, listen to the "March and Scherzo" from Dmitri Prokofiess' Opera, "The Love for Three Oranges." By a coincidence in composition, the "XXV" Musical Signature bears remarkable resemblance to the basic movement in "March and Scherzo."

WAR MANPOWER COMMISSION CONTINUES BROADCASTING ON ESSENTIAL LIST

The War Manpower Commission has announced a list of essential and critical activities to be used by selective service as a guide for the induction of men in the 26-29 age group in connection with the directive recently issued by Director of War Mobilization and Reconversion James F. Byrnes.

In May 1944, the old List of Critical Occupations was abolished (NAB Selective Service Handbooks Supplement Number 22). At that time the List of Essential Activities was reaffirmed. The recent War Manpower Commission action re-established the former policy of maintaining both essential and critical classifications for the guidance of the selective service system.

Men engaged in activities appearing on the critical list will be the last to be inducted in the 26-29 age group. Those engaged in activities included in the essential list will be scheduled for induction after the supply of men engaged in non-essential activities has been exhausted.

Broadcasting is included on the essential list under Section 29, Communications Services, reading as follows:

> "29. *Communication Services.*—Magazines of general circulation which are devoted primarily to the dissemination of public information; newspapers and news syndicates; military, naval, and technical charts and maps, instructional and technical manuals, and training literature; production of motion pictures (including industries); motion picture film processing, news reels; development of sensitized films; protective signal systems which supplement fire and police protection to military, public and private industrial and commercial establishments; *radio broadcasting;* radio communications (radiotelephone and radiotelegraph); cable service (land or submarine); telegraph; telephone; television; production for essential activities of continuous forms with or without one-time carbon, and produced on rotary equipment; and production of salesbook-type forms contracted for by governmental agencies."

According to the War Manpower release, all technical, scientific and research personnel engaged in any of the activities either critical or essential are regarded as being engaged in critical activities. This provision should aid materially in the securing of occupational deferments for technical personnel of broadcast stations in the 26 through 29 age group.

Included on the list of critical activities under Section 28 is the following:

> "28. *Production of Communication Equipment.*—Radios and radio equipment: radar: telephone, telegraph, cable, television, signalling apparatus; electrical sound equipment."

The lists were drafted after consultation with the Army, Navy, Selective Service, War Production Board and War Manpower Commission. We are informed government claimant agencies such as the Office of Defense Transportation, Federal Communications Commission, etc., were not invited to participate in the preparation of the new lists. At the present time there is some uncertainty as to the effect the new regulations will have on the induction of men now employed in the broadcast industry. New regulations are promulgated from day to day and the situation is being followed closely. Attention is directed to NAB Selective Service Handbook Supplements Numbers 23, 24 and 25 recently mailed to the NAB membership. Additional Selective Service Supplements will be issued just as soon as authoritative information can be secured.

6TH DISTRICT MEETS

Memphis, Tenn., January 16. The most attended and most spirited meeting ever held in the Sixth District closed here this afternoon. During the two-day meeting, station managers and sales managers, government officials and NAB executives explored the present problems and immediate and future possibilities of broadcasting from every angle.

The meeting was called to order at 10:30 a. m. on Monday, January 15, by Hoyt B. Wooten of WREC, Director of the Sixth District. J. Harold Ryan, NAB president, was unable to attend the opening sessions through the necessity of remaining in Washington to introduce Basil O'Connor on the CBS Sunday afternoon broadcast to inaugurate the "Mile of Dimes" campaign. In his stead, C. E. Arney, Jr., NAB secretary-treasurer, reviewed the labor problems facing the industry with special reference to the Petrillo platter-turner demands. He then brought the members up to date on the latest directives of Selective Service and voiced a sincere warning in connection with men now in a deferred status.

Robert Atherton of WMC, District chairman of the Program Managers Committee, presented a very provocative talk on programming, with special emphasis on the need for better programming in connection with government campaigns of war information. Using C. E. Hooper ratings for Memphis, he pointed out the need for more intelligent program planning to achieve greater use of sets as well as larger audiences for individual programs.

Following luncheon, Lewis H. Avery and Miss Helen A. Cornelius presented the report of the Department of Broadcast Advertising, using charts and tables. Mr. Avery reviewed the proposed revision of the NAB-AAAA Standard Contract for Spot Broadcasting and obtained the District opinion on the contemplated changes. Miss Cornelius outlined many of the factors that have retarded the use of radio by department stores and suggested means of overcoming objections on the part of the retail trade to the increased use of the medium by retailers.

On the morning of the second day, Mr. Ryan, who had arrived the previous evening, reviewed the activities of NAB in several fields and introduced Hugh M. Feltis, president of Broadcast Measurement Bureau. (The complete report of the first presentation of BMB appears in BMB Bulletin No. 3, which is being mailed with this issue.)

The morning meeting was closed with a report from Robert T. Bartley, NAB director of Government Relations, on the regulatory and legislative situation, urging stations to better acquaint their congressmen with the service they render.

After luncheon, the following resolutions were proposed and adopted unanimously:

1. WHEREAS the Sixth District Meeting of the National Association of Broadcasters in Memphis has been a success due largely to the untiring efforts of the broadcasting stations of Memphis, therefore,

BE IT RESOLVED this convention go on record as extending its sincere thanks and appreciation to Hoyt Wooten, Director of the Sixth District of NAB, and the Memphis radio stations for the splendid arrangements and the delightful hospitality.

2. WHEREAS an effort is being made to induce radio stations to change their present method of basing net rates for broadcasting on yearly contracts in order that extended periods beyond one year would enjoy the same discounts as the business used within said year, and

WHEREAS a majority of the members of the Sixth District of NAB feel that such a change in the rate structure would not be in the best interests of the radio industry at this time, therefore,

BE IT RESOLVED that the Sixth District of NAB go on record as opposing such a change in the standard contract form now in use.

3. WHEREAS the radio industry has for years felt that a standard method of measuring radio circulation was not only desirable but necessary, and

WHEREAS the several methods now in use tend to confuse and mislead buyers of radio time, and

WHEREAS, as a result of the diligent and efficient work of the Research Committee of NAB, there has been submitted to the industry a plan known as the Broadcast Measurement Bureau which has been tried and proven in Canada; which has the approval of the AAAA and the ANA; therefore,

BE IT RESOLVED that the members of the Sixth District of NAB in convention assembled at Memphis do hereby heartily endorse the Broadcast Measurement Bureau and urge that all other broadcasters assure the success of this bureau by pledging their support.

4. WHEREAS the radio industry possesses one of the most powerful influences for the moulding of public opinion and the dissemination of information, and

WHEREAS the industry to date has made practically no use of its own medium in acquainting the public with accomplishments and problems, and

WHEREAS radio has been generous in its contribution of time to other organizations and media for similar purposes, therefore,

BE IT RESOLVED that the time has come when serious consideration shall be given to the use of our own medium to the extent that requests be made of the four major networks for time to present a series of programs under the guidance of NAB, designed to acquaint the American people with radio's achievements and contributions to the civic life of the nation and to seek to offset the dangerous influences that are from time to time directed against the industry through unfavorable legislation, arbitrary regulation, and uneconomic practices.

5. WHEREAS the radio industry in 1945 is observing its 25th Anniversary, and

WHEREAS radio has been recognized as having rendered outstanding accomplishment in the war effort before and since Pearl Harbor, therefore,

BE IT RESOLVED that the industry will reaffirm its faith in the American way of life and will redouble its efforts to serve more fully our nation to the end that the war may be more speedily concluded.

The Sixth District also passed the following resolution:

BE IT RESOLVED that the Sixth District go on record as recommending that discussions be had at all District meetings to the end that NAB, through its Engineering Committee, co-operate with manufacturers in establishing minimum standards for receiver production; all receivers meeting such standards earning an official NAB stamp of approval.

The two-day meeting was attended by the following broadcasters, government representatives and NAB staff members:

ARKANSAS: John A. England, Bill Slates, KFPW, Fort Smith; J. O. Floyd, William T. Tappan, J. C. Warren, KFFA, Helena; William E. Ware, KWFC, Hot Springs; Julian F. Haas, Ed Zimmerman, KARK, Little Rock; Roy Judge, KLRA, Pat Walsh, United Press, Little Rock; Jack Parrish, KOTN, Pine Bluff.

WASHINGTON, D. C.—J. H. Ryan, Pres., C. E. Arney, Jr., Lewis H. Avery, Robert T. Bartley, Helen A. Cornelius, NAB; H. M. Feltis, Broadcast Measurement Bureau; Willett Kempton, OWI, Domestic Radio Bureau; Robert K. Richards, Broadcasting Magazine.

GEORGIA—Madelinn Chace, OWI, Stanley Whitaker, United Press, Atlanta.

ILLINOIS—Ralph S. Hatcher, CBS, Chicago.

LOUISIANA—Roy Dabadie, WJBO, Baton Rouge; J. C. Liner, Jr., KMLB, Monroe; J. D. Bloom, Jr., WWL, Harold M. Wheelahan, WSMB, New Orleans; T. B. Lanford, KRMD, John C. McCormack, KTBS, Fred Ohl, KWKH, Shreveport.

MISSISSIPPI—David M. Segal, WROX, Clarksdale; Bob McRaney, WCBI, WELO, WROX, Columbus; Thomas Goldin, Emmet H. McMurry, WJPR, Greenville; F. C. Ewing, WGRM, Greenwood; Wiley P. Harris, WJDX,

L. M. Sepaugh, WSLI, Jackson; D. A. Matison, Hugh M. Smith, WAML, Laurel; P. K. Ewing, Jr., WMIS, Natchez; Gene Tibbett, WELO, Tupelo.

MISSOURI—Jerry A. Deane, OWI, Kansas City; George A. Kercher, Edward Petry & Co., Inc., St. Louis.

NEW JERSEY—Herman H. Rathkamp, Finch Tel., Passaic.

NEW YORK—Claude Barrere, NBC; James H. Connolly, Peter Schloss, Blue Network; Charles Godwin, Mutual; John Mayo, Langworth Library; Burt Squire, SESAC; Ralph C. Wentworth, BMI.

TENNESSEE—W. A. Wilson, WOPI, Bristol; Carter M. Parham, Norman Thomas, Earl Winger, WDOD, Chattanooga; W. E. Williams, WJZM, Clarksville; Jess Swicegood, WKPT, Kingsport; John P. Hart, WBIR, Knoxville; Claude Frazier, Allen Stout, WROL, Knoxville; E. A. Alburty, Eugene Pournelle, John Orr, WHBQ, Memphis; Bob Atherton, E. C. Frase, Jr., Cliff Goodman, H. W. Slavick, WMC, Memphis; Francis Chamberlain, Robert Hobgood, H. R. Krelstein, WMPS, Memphis; William Raney, Hollis R. Wooten, Hoyt B. Wooten, Roy Wooten, S. D. Wooten, Jr., WREC, Memphis; James A. Reid, Dixie Portland Flour Co., Memphis; F. D. Binns, F. C. Sowell, WLAC, Nashville; Jack M. Draughon, WSIX, Nashville; Ottis Devine, George Reynolds, Harry Stone, Dean Upson, WSM, Nashville.

TEXAS—Ruth Fulling, OPA, Dave Russell, OWI, W. M. Witty, RCA, Dallas.

The next District meeting will be held at Dallas when 13th District broadcasters from the stations in Texas will get together. The rest of the schedule follows:

First Section

District 16—Los Angeles, California, Monday and Tuesday, January 22 and 23, Biltmore Hotel.

District 15—San Francisco, California, Thursday and Friday, January 25 and 26, Fairmont Hotel.

District 17—Portland, Oregon, Monday and Tuesday, January 29 and 30, Benson Hotel.

District 14—Salt Lake City, Utah, Thursday and Friday, February 1 and 2, Utah Hotel.

Districts 10-12—Kansas City, Missouri, Wednesday and Thursday, February 7 and 8, Muehlebach Hotel.

District 11—Minneapolis, Minnesota, Monday and Tuesday, February 12 and 13, Nicollet Hotel.

District 3—Pittsburgh, Pennsylvania, Thursday and Friday, February 15 and 16, William Penn Hotel.

Second Section

District 1—Boston, Massachusetts, Monday and Tuesday, March 5 and 6, Statler Hotel.

District 2—New York, New York, Thursday and Friday, March 8 and 9, Roosevelt Hotel.

District 5—Jacksonville, Florida, Monday and Tuesday, March 12 and 13.

District 4—Hot Springs, Virginia, Friday and Saturday, March 16 and 17, Homestead Hotel.

District 7—Cincinnati, Ohio, Monday and Tuesday, March 19 and 20, Gibson Hotel.

Districts 8-9—Chicago, Illinois, Wednesday and Thursday, March 21 and 22, Palmer House.

RYAN BROADCASTS TO NATION IN MARCH OF DIMES APPEAL

J. Harold Ryan, NAB President and Chairman of the Radio Division of The National Foundation for Infantile Paralysis, introduced Basil O'Connor, President of the Foundation, over CBS, Sunday, January 14, at 1:30 P. M. O'Connor launched the annual fund-raising appeal.

Delaying his appearance at the first NAB District Meeting in Memphis, Ryan remained in Washington Sunday to perform this service for the drive. His opening remarks were as follows:

"There is one thing of which the broadcasting industry is justifiably proud. That is the leading role it has been able to play in giving voice to just and good causes—in bringing to the attention of all Americans the human problems which need their aid and solution.

"Today, as we stand on the threshold of the 1945 March of Dimes, the radio industry is once more proud of the important part it can play in transmitting a great need. You are about to hear from Mr. Basil O'Connor, President of the National Foundation for Infantile Paralysis—that humanitarian organization which seeks help for the thousands of children crippled by this cruel disease. We of the radio industry feel that at this time there is no more important duty for us on the home front than to carry on the fight against the crippler. Wars on foreign fronts are crippling thousands of our soldiers. But right here at home, infantile paralysis is dealing just as cruelly with the small children of our land.

"You have been asked to help this cause before, and radio has played its part in bringing you the urgency of the need. Now once again—in the year following almost the worst epidemic of polio in recorded history—radio brings you again the story of the ravages of this disease and the part you can play in conquering it.

"Many of you may be able to remember back to 1938, when the first organized national campaign against infantile paralysis got under way. You may remember how throughout these past six years, the National Foundation for Infantile Paralysis, with the enthusiastic support of the American people, has fought desperately against this enemy of our children. The message you are about to hear will tell you some of the victories that have been won—Ladies and Gentlemen—the broadcasting industry proudly presents Mr. Basil O'Connor speaking to you from New York. Mr. O'Connor."

FCC TO RESTRICT NEW CONSTRUCTION

In actions taken by the Commission January 16 in the meeting in which it adopted a further statement of policy concerning applications for new broadcast facilities or changes in facilities involving use of critical materials and manpower, 8 applications were designated for hearing in accordance with the policy. Two applications for permits to construct local channel stations were granted but in these instances it was found that no primary service was available to the communities concerned from any station now authorized and that the applicants had made the showing required under the January 26, 1944, statement of policy. The three applications for change in facilities which were granted involved improvements in local channel stations which could be accomplished without substantial construction and at costs substantially less than $500.

The further statement of policy follows:

The Commission's Statement of Policy of January 26, 1944, relating to the construction of new radio stations and the making of improvements in existing radio facilities, is to be interpreted in the light of present conditions, which require that all available manpower and critical materials be devoted to the furtherance of the war program.

In this connection, the War Production Board has advised the Commission that:

"Installation of new broadcasting services will be reviewed with extreme care. All such applications received and showing that the required equipment was on hand were approved until the latter part of December. The increasing problem of finding manpower for war industries has made it necessary to consider the manpower needed to construct, operate and provide maintenance for additional stations.

"It is not felt that the general premise that 'broadcasting is in the war interest' will longer suffice to support the use of manpower and maintenance materials for new stations. Applications must be critically reviewed from the standpoint of available manpower and the *need for the service to contribute to the war effort.* The use of manpower cannot be approved unless an actual contribution is to be made."

In view of this, it will be the Commission's policy to designate for hearing all applications involving construction of new standard broadcast stations unless the applicant establishes (1) that the construction will result in making service available to a community which does not receive primary service from any existing broadcast station and (2) that all requirements of the January 26, 1944, Statement of Policy have been met.

Applications for changes in existing standard broadcast facilities will be handled in the same manner except where the change does not involve substantial construction work and costs less than $500.

No change will be made in the Commission's handling of commercial FM and Television applications which will be kept in the pending file.

The full text of the War Production Board's letter of January 16, 1945, is attached. This letter sets forth the War Production Board policies not only with respect to broadcast stations, but also with respect to various other radio services.

January 16, 1945

Federal Communications Commission
Room 6149—New Post Office Building
Washington 25, D. C.

SUBJECT: Report to FCC on Critical Materials

GENTLEMEN:

The procedure announced jointly by the Federal Communications Commission and the War Production Board on January 26, 1944, has been of benefit to not only both Agencies concerned, but also to a number of applicants wishing to install various types of radio services. It seems advisable to again review conditions to determine if changes in either policy or procedure are advisable.

The War Production Board has taken and is taking the following steps to make available radio equipment for non-military use:

A. An effort has been made to increase the production of portable-mobile equipment as used by the Special and Emergency services to several times its past production. The ultimate goal has not been reached.

B. A number of planes were made available to the Airlines in 1944, and an increased number are expected to be made available in 1945. It is expected that all these planes will be equipped with radio.

C. Every effort has been made to aid in development work. Priorities have been provided for laboratories, and aid has been given in all fields of development. Application of radio to bus lines, railroads, etc., has been tested by several companies. In conjunction with the Federal Communications Commission, several broadcast stations have received priorities for developmental work in frequency modulation.

D. The War Production Board has authorized the starting of construction of a number of new broadcasting stations. Priorities have generally not been provided for this purpose.

Present problems in production to meet military requirements for radio equipment are different and perhaps more severe than those problems existing a year ago. The two basic problems are materials and manpower. During the last two years, problems have shifted to a large extent from those of materials to those of manpower. Basically, even the problem of materials usually resolves itself to a combination of manpower and time necessary for processing or obtaining more basic raw materials.

The problems in procurement of maintenance materials for radio transmission and communication may in a general way be said to be over. There are only a few specific types of tubes and other components which are not obtainable on the maintenance rating provided for radio. It should be remembered that this rating is the same rating that is used by the Army and Navy to obtain their equipment. In almost every case where such products are in short supply, the reason is insufficient manpower to make full use of existing production facilities.

There follows the general attitude now taken by the WPB toward various radio services:

(1) *Aviation:* The WPB is endeavoring to equip all planes operating as common carriers with the necessary communication equipment. Some equipment may be available for other planes used in essential services.

(2) *Special and Emergency Services:* It is expected that more equipment will be available for these services in 1945. Release of such equipment is no longer restricted mainly to police systems, but it is now possible to public utilities and other users. The use of such equipment will often result in increased efficiency and pay dividends in the use of manpower. There will not be enough equipment to fulfill all requirements from essential public services and war industries.

(3) *Marine:* A number of boats are being made available to fisheries. Where possible these boats will be equipped from existing stocks of equipment. No equipment is contemplated for tugs, barges, etc., or for fresh-water fishing vessels.

(4) *Broadcasting:* No provision is made for new broadcast facilities.

Certain types of changes in facilities may be made without WPB approval. New installations costing less than $500 may be made on shipboard without WPB approval. In general, any change not involving construction work and costing less than $500, but not requiring the purchase of a transmitter or receiver, is allowable. This dollar limit is raised to $2.500 in the case of international point-to-point stations (which does not include international broadcasting). No radio operator may start construction which will cost more than a fixed amount unless he has WPB approval. In most cases, the limit is $200 for cost of materials, new equipment and labor. In general. restrictions on the purchase of equipment and materials have not been greatly changed during the last year except for the provision made last September allowing the expenditure of up to $500 for a minor capital addition or change not involving construction.

It is felt that in general the WPB will give its approval (if necessary) to the installation of equipment on hand for two-way communication services. Applications involving construction will be reviewed much more critically than in the past in an effort to determine the relative value of manpower involved and services to be rendered to the war effort.

Installation of new broadcasting services will be reviewed with extreme care. All such applications received and showing that the required equipment was on hand were approved until the latter part of December. The increasing problem of finding manpower for war industries has made it necessary to consider the manpower needed to construct, operate and provide maintenance for additional stations.

It is not felt that the general premise that "broadcasting is in the war interest" will longer suffice to support the use of manpower and maintenance materials for new stations. Applications must be critically reviewed from the standpoint of available manpower and the *need for the service to contribute to the war effort.* The use of manpower cannot be approved unless an actual contribution is to be made.

Very truly yours,

JOHN CREUTZ, *Chief,*
Domestic & Foreign Branch.
Radio and Radar Division.
WPB Dept. 4510.

PERSONALS

Robert Kliment has been appointed Program Director of station WEBR, Cy King, Station Director, announces. Kliment will continue doing sports and handling a popular

6 p. m. news and sports show in addition to his duties as Program Director.

Dr. Charles F. Church, Jr., has been named Educational Director of KMBC, succeeding R. Edwin Browne, resigned to become Director of Public Relations for the University of Kansas. Dr. Church will retain his post as Acting Research Director. The potentialities of radio as an educational medium are soon to be outlined in a report to the industry based largely on a nationwide tour of stations made by Dr. Church in 1944.

GLOBAL SHOW PRODUCTION HOLDS STEADY

Four more completed "Let's Go to Town" programs as requests by General Eisenhower for global broadcast have been shipped to or received by Armed Forces Radio Service since last week as follows:

Fort Wayne area, J. B. Conley, WOWO, TFC*
Oakland area, Glenn Shaw, KLX, TFC*
Saint Louis area, John W. Tinnea, KWK, TFC*
South Bend area, Franklin D. Schurz, WSBT, TFC*

New Allocation

WTAD, Quincy, Ill., C. Arthur Fifer, Task Force Commander, has been added as a new allocation.

Indiana Soon to Be 100%

The show produced in the Fort Wayne area under direction of Task Force Commander Conley was shipped December 20, lost en route and recovered. It was then handled so fast that it was shortwaved on January 9.

Franklin D. Schurz, station manager, WSBT, Task Force Commander of the South Bend-Elkhart area, shipped his "Let's Go to Town" show to Los Angeles on January 13.

Those cooperating in the program, in addition to WSBT, were: WTRC, Elkhart, The Elkhart Truth, WHOT, South Bend, and The South Bend Tribune.

TFC Clarence Leich, WGBF, Evansville, air mailed his "Let's Go to Town" script January 17.

C. Bruce McConnell, WISH, Task Force Commander, Indianapolis area, is responsible for two programs. One script is already in the hands of AFRS and the other is expected to be ready for editorial approval next week.

TREASURY TO CONTINUE "TREASURY SALUTES"

Treasury telephoned NAB Wednesday (17) that the "Treasury Salutes" series of dramatic transcriptions would be continued on the present three weekly basis right up to the start of the Seventh War Loan, late May or early June. Announcement was made by Thomas H. Lane, director of radio, press and advertising, War Finance Division.

Stations now receiving transcriptions will remain on the list. They will be sent to other stations on request to:

Radio Section
War Finance Division, Treasury Dept.
Washington 25, D. C.

Mr. Lane said that Treasury's decision to continue the series was influenced by two factors: a) that 756 stations were now using "Treasury Salutes" and wanted them continued; and b) that NAB and Treasury surveys showed programs to be spotted consistently at good times, assuring a large audience.

War Finance's radio section will not again survey stations to determine whether or not they want to continue use of the transcriptions beyond the thirteen week period. It is being taken for granted that stations now receiving them will desire to continue their use beyond the middle of March.

For the Seventh War Loan, Mr. Lane said that it was quite possible that release of "Treasury Salutes" will again be increased to six per week.

"Treasury Salutes" may be used sustaining or on a sponsored basis, at the option of the broadcaster.

FM IN AUSTRALIA

According to a recent issue of "Commercial Broadcasting," Australian broadcast trade publication, thirty-six applications have already been filed in that country for FM broadcast stations. The government has not yet made a decision as to whether or not FM stations will be licensed in Australia. The matter is now being investigated by the Federal Parliamentary Committee on Broadcasting which is currently studying FM, television and facsimile developments.

RADIO ENGINEERS BEGIN BUILDING-FUND CAMPAIGN

The Institute of Radio Engineers, at its Winter Technical Meeting in New York, January 24-27, inaugurated a campaign for the raising of $500,000 for a Building Fund, in anticipation of postwar expansion of its service to the electronic and communication industries The directors of the society announced that they are leaving their plans flexible enough to permit their establishing new quarters jointly with other engineering and scientific societies if to do so ultimately proves desirable. The appeal for funds will extend to the Institute's membership and interested corporations.

WAR LABOR BOARD DECISION IN WMAL CASE

The National War Labor Board has approved as being in conformance with the national wage stabilization policy an arbitrator's award which granted a union request that six staff announcers of Radio Station WMAL in Washington, D. C., be paid a fee ranging from $1 to $4 when assigned to commercial broadcasts, in addition to their base salary of $200 a month.

The industry members of the Board and one of the public members dissented on the technical point that the arbitrator had actually served as a hearing officer of the Board and made a "recommendation" to Board, and that, therefore, the Board should have reaffirmed an earlier decision in the case or consulted with the arbitrator to determine whether his conclusions would have been the same in either case. The earlier decision had rejected the arbitrator's award with respect to the payment of fees for commercial broadcasts, but approved a $50 increase in the base monthly salary requested by the employer, which decision the Board held was in accord with its policy not to order a change in the method of wage payment.

The Evening Star Broadcasting Company, owner of the radio station, and the American Federation of Artists, AFL, bargaining agent of the announcers involved, were in agreement that the staff announcers should receive additional compensation, but were not in agreement as to the method. The company desired only a $50 increase in the base salary and was opposed to the institution of fees for commercial broadcasts. The $50 monthly increase is roughly equivalent to the average increase which would result from the fee system proposed by the union and granted by the arbitrator.

The fee system granted by the arbitrator, Dr. Royal E. Montgomery, and approved by the Board as not violating wage stabilization, is similar to that contained in contracts between the union and three other Washington stations.

Retroactive date of the arbitrator's award is October 15, 1943, the date on which the parties signed a stipulation to arbitrate the dispute.

In an opinion for the majority of the Board, Lewis M. Gill, a public member, explained that the case was referred to the War Labor Board solely for the appointment of an arbitrator and that the only function of the Board was to appoint the arbitrator and "to review his award, if it involved a wage adjustment, to determine whether or not the award was compatible with the wage stabilization program."

By mistake the case was handled as a regular dispute case and Dr. Montgomery made "recommendations" to the Board and identified himself as a "hearing officer," Mr. Gill said, although the company and the union recognized the proceedings as an arbitration.

Although Dr. Montgomery acted under the belief he was merely making recommendations to the Board rather than issuing a final and binding arbitration award, Mr. Gill said the majority found no basis—for the purposes of review—for not treating his recommendation as a final award.

To have referred the case back to Dr. Montgomery with instructions to reconsider the matter as an arbitrator, the opinion continued, would have contained "an unwarranted implication that Professor Montgomery's conclusions might have represented something other than his considered judgment as to the proper settlement of this dispute. A careful reading of his report makes it perfectly clear that there is no ground for any such suspicion.

"Under all these circumstances, we think that both parties should in fairness be bound by their arbitration agreement, even though the award was set up in terms of a recommendation. Our decision therefore does not represent a review of the merits of the case, but is limited to a determination that the increase awarded is permissible within the stabilization program. There is no dispute within the Board on this latter fact, since the decision merely puts the radio announcers on this station on the same basis of pay as the announcers in the other major stations in Washington—a permissible application of the bracket principle."

In a dissenting opinion, Public Member Dexter M. Keezer asserted that while the "result secured by the decision of the majority in this tortured little case may be relatively satisfactory . . . the process of reaching this result involved what I regard as a flagrant error in reasoning and procedure."

Reviewing the reasoning of the majority, the dissenting opinion said that "the task of recommending an appropriate solution of a labor dispute is a quite different task than that of making a settlement of the dispute which is to be final and binding on the parties. In the latter case, the referee or arbitrator bears the full responsibility for a proper settlement. In making recommendations he shares this responsibility with others and in so doing, has freedom of action denied to the arbitrator—a fact which gives the two operations basically different characters."

Mr. Keezer added that a person recommending a solution of a labor dispute would not necessarily offer the same solution as he would if he were making a final and binding award.

"It would have been possible to discover whether or not there would have been such a coincidence in this case by consulting the referee," he said.

The Board's order and opinions follow:

National War Labor Board

December 28, 1944

In the Matter of

THE EVENING STAR BROADCASTING COMPANY, and AMERICAN FEDERATION OF RADIO ARTISTS, Affiliated with the Associated Actors and Artists of America, AFL

Case No. 111-4517-HO

Directive Order

By virtue of and pursuant to the powers vested in it by Executive Order 9017 of January 12, 1942, the Executive Orders, Directives and Regulations issued under the Act of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, the National War Labor Board hereby decides the dispute between the parties and rules as follows:

I. The Directive Order of the National War Labor Board in this case dated August 10, 1944 is hereby vacated.

II. It is found that the parties stipulated to submit their dispute to the final and binding decision of an arbitrator to be reviewed by the National War Labor Board only to determine conformance with the national wage stabilization policy. There being no violation of the national wage stabilization policy, the findings of the arbitrator are hereby approved and the parties are directed to incorporate his determination in a signed agreement.

Representing the Public:	Representing Industry: (Dissenting)
Lewis M. Gill	Fred Climer
Dexter Keezer (dissenting)	Walter T. Margetts
Nathan Feinsinger	James Tanham
Edwin Witte	Clarence Skinner

Representing Labor:
Carl Shipley
George Meany
John Brophy
Robert Watt

National War Labor Board

January 1, 1945

In the Matter of

THE EVENING STAR BROADCASTING COMPANY, and AMERICAN FEDERATION OF RADIO ARTISTS AFL

Case No. 111-4517-HO

Majority Opinion

This case began on October 15, 1943, when the company and the union signed a "Stipulation to Arbitrate" before a Commissioner of Conciliation. The exact language of the stipulation is as follows:

"Stipulation to Arbitrate"

"It is hereby agreed by the parties listed below that the issues described below shall be arbitrated before a referee to be named by the National War Labor Board, or the Chairman thereof. The award and decision of the referee shall be final and binding in all respects, and where the referee has awarded a wage adjustment his award on wages will be subject to review by and approval of the National War Labor Board.

"The issues to be determined are as follows:

"Collective bargaining agreement negotiated to conclusion on all points at issue except compensation to be paid staff announcers:

"1. (a) Union requesting present base salary for staff announcers of $200.00 a month, plus payment of fees for each commercial radio program assigned a staff announcer on his regular tour of duty. (b) Company wishes instead to increase compensation to announcers through base salary increases in an amount equal to the fee system proposed by Union.

"2. (a) Whether or not increases in income to announcers as a result of Union's proposal shall be retroactive to work week beginning August 22, 1943.

The Evening Star Broadcasting Company. By /s/ K. H. Berkeley, General Manager.
American Federation of Radio Artists. By /s/ Leonard R. Lyons, National Representative.

"Witness:

/s/ W. A. McAlister,
Commissioner of Conciliation
Done at *Washington, D. C.*
Date October 15, 1943"

Since this stipulation provided for the appointment of the arbitrator by the War Labor Board or its Chairman, the case was referred to the Board by the Secretary of Labor for this purpose. It was not certified as a labor dispute in the usual manner, since the only function the Board was called upon to perform was to appoint the arbitrator and to review his award if it involved a wage adjustment, to determine whether or not the award was compatible with the wage stabilization program.

At this point some confusion set in, for which the Board must take a major share of the blame. Instead of merely appointing an arbitrator in accordance with the stipulation, the Board designated Professor Royal E. Montgomery as "hearing officer," and advised Professor Montgomery and the parties that the case would be handled in the same manner as other dispute cases. Throughout the hearings and in the submission of various briefs in the case, the terms "arbitrator," "referee" and "hearing officer" were bandied about in a rather indiscriminate fashion by everyone concerned. The company's original brief before the hearing was headed "Before the National War Labor Board—in Arbitration." The union's briefs both before and after the hearing were headed in the same fashion. Both parties were evidently proceeding on the understanding that they were engaged in an arbitration hearing in accordance with their stipulation. Professor Montgomery's decision was, however, labelled "Recommendation," and he signed the document as "Hearing Officer." The Board submitted his report to the parties and invited comments. This was an inappropriate procedure in view of the arbitration stipulation. The company filed extensive comments objecting to the conclusions in Professor Montgomery's report, pursuant to this invitation by the Board. The union filed comments in support of Professor Montgomery's conclusions, but stated therein that it was refraining from discussing certain aspects of the report with which it was in disagreement, in view of the Board's recently announced policy of not accepting any additional arguments on the merits of an arbitrator's award, unless the Board itself asked for more information.

The case then came to the Board where all this rather confused history was considered and reconsidered several times, finally resulting in the present majority vote to treat Professor Montgomery's recommendation as an arbitration award and approve it as consistent with the wage stabilization program.

It seems quite clear, as the minority of the Board stressed in the discussion of this case, that Professor Montgomery acted under the belief that he was merely making recommendations to the Board and not issuing a final and binding award. This position on his part is entirely understandable in view of the Board's handling of the case. However, we find no basis for not treating his recommendation as a finding award for the purposes of our review. There was some suggestion in the discussion in the Board that a person might conceivably take a different view of a case if he knew that his decision would be final and binding on the parties, than he would if he were only composing a recommendation to the Board. Following this line of approach, it was suggested that we might refer the case back to Professor Montgomery with instructions to reconsider the matter as an arbitrator, with a view toward ascertaining whether he would reach the same conclusion if he realized that he was supposed to act in that capacity. It is our judgment that this procedure would contain an unwarranted implication that Professor Montgomery's conclusions might have represented something other than his considered judgment as to the proper settlement of this dispute. A careful reading of his report makes it perfectly clear that there is no ground for any such suspicion.

Under all these circumstances, we think that both parties should in fairness be bound by their arbitration agreement, even though the award was set up in terms of a recommendation. Our decision therefore does not represent a review of the merits of the case, but is limited to a determination that the increase awarded is permissible within the stabilization program. There is no dispute within the Board on this latter fact, since the decision merely puts the radio announcers on this station on the same basis of pay as the announcers in the other major stations in Washington—a permissible application of the bracket principle.

Opinion by: Lewis M. Gill,
Public Member.

National War Labor Board

January 6, 1945

In the Matter of:

The Evening Star Broadcasting Company and
America Federation of Radio Artists, AFL

Case No. 111-4517-HO

Dissenting Opinion

While so far as I know the result secured by the decision of the majority in this tortured little case may be relatively satisfactory (the merits of the case were never discussed during three extended Board sessions devoted to it), the process of reaching this result involved what I regard as a flagrant error in reasoning and procedure. Since it is the sort of error which there well may be opportunities to repeat, I feel constrained to call attention to it and thus explain my dissent from the decision of a majority of my colleagues, including all of my fellow public members.

In this case the parties agreed to submit their dispute, which concerns the method of paying a half a dozen radio announcers, to a referee whose decision was to be final and binding on the parties. Due to confusing instructions, however, the referee did not understand that he was called upon to make an award which would be final and binding, but thought that he was expected to make recommendations of a proper settlement of a dispute. Since the record left room for doubt as to what the referee understood his commission to be, I asked him directly, and he told me directly, that he understood it to be that of a hearing officer making recommendations rather than that of an arbitrator making a final and binding award.

Nonetheless, a majority of the Board, flying straight in the face of the referee's assertion that he was not making an award designed to be final and binding, treated his award as such. In justification of this course it was argued that the true nature of the job done by the referee was what the parties agreed he should do rather than what he actually did. It was also solemnly contended that it could reasonably be assumed that a sincere and experienced referee, such as the referee in this case, would act no differently if he were recommending a settlement of a dispute than if he were making a final and binding award.

It seems to me that both of these propositions are patently misguided. If a person who has done a job asserts that he has done one thing, it certainly cannot be made something else merely by citing the agreement of those asking that the job be done to have it something else. Also the task of recommending an appropriate solution of a labor dispute is a quite different task than that of making a settlement of the dispute which is to be final and binding on the parties. In the latter case, the referee or arbitrator bears the full responsibility for a proper settlement. In making recommendations he shares this responsibility with others and in so doing, has freedom of action denied to the arbitrator—a fact which gives the two operations basically different characters.

It might happen that a person recommending a solution of a labor dispute would offer the same solution as he would if he were making a final and binding award. However, that would be a coincidence and not a necessity. It would have been possible to discover whether or not there would have been such a coincidence in this case by consulting the referee. Without doing so, however, a majority of the Board went right ahead and treated the referee's decision in this case as a final and binding award. Since this operation imputed to the referee's handiwork a character which he said it never possessed, I could not bring myself to share in it, and hence, unhappily, dissented from the opinion of the majority in this case.

Dexter M. Keezer,
Public Member.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 22nd. They are subject to change.

Monday, January 22

New—Calumet Broadcasting Corp., Hammond, Ind.—C. P., **1520 kc.**, 5KW, daytime.

KFVD—Standard Broadcasting Co., Los Angeles, Cal.—Renewal of license, **1020 kc.**, 1 KW, limited.

KPAS—Pacific Coast Broadcasting Co., Pasadena, Cal.—Renewal of license, **1110 kc.**, 10 KW, unlimited, DA-night & day.

Wednesday, January 24

Consolidated Hearing

NEW—F. R. Pidcock, Sr., & James M. Wilder, d/b as Georgia Broadcasting Company, Savannah, Ga.—C. P., **1230 kc.**, 250 watts, unlimited.

NEW—A. C. Neff, Savannah, Ga.—C. P., **1400 kc.**, 250 watts, unlimited.

NEW—Chatham Broadcasting Company, Savannah, Ga.—C. P., **1400 kc.**, 250 watts, unlimited.

Thursday, January 25

Further Hearing

WNLC—Thames Broadcasting Corp., New London, Conn.—C. P. to change frequency from **1490 kc.** to **1240 kc.**, 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WMBD—H. D. Morgan (Transferor), Carl P. Slane, Frances P. Slane and Elizabeth P. Talbott (Transferees); Peoria Broadcasting Co. (Licensee), Peoria, Ill.—Granted consent to transfer control of Peoria Broadcasting Company, license of station WMBD (and relay stations WAIN, WEKH, WEKI and WPEO), from H. D. Morgan to Carl P. Slane, Frances P. Slane and Elizabeth P. Talbott, for a consideration of $114,750, for 510 shares (or 51%) of the issued and outstanding capital stock of licensee. (Commissioner Durr not voting). (B4-TC-412)

WING—Great Trails Broadcasting Corp., Dayton, Ohio—Granted extension of time, until Feb. 16, 1945, within which to comply with the procedural conditions attached to a conditional grant to move a new transmitter site and make changes in directional antenna. (B2-F-3267)

The Constitution Broadcasting Co., Atlanta, Ga.—Granted petition for reinstatement of application (B3-P-2905) for construction permit for a new station to operate on **550 kc.**, 1 KW night, 5 KW-LS, using DA at night, and designated same for consolidated hearing with application of WOPI already in hearing, (Docket 6661) and application of Bob Jones College, Inc. (B3-P-3231)

Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, d/b as WAPO Broadcasting Service, Chattanooga, Tenn.—Granted construction permit for new development broadcast station to operate on frequencies that may be assigned by the Commission's Chief Engineer from time to time; power, 1 KW, upon an experimental basis only; conditions. (B3-PEX-57)

School District of Kansas City, Mo., Kansas City, Mo.—Granted application for construction permit for new noncommercial educational high frequency (FM) broadcast station to operate on frequencies to be assigned by the Commission's Chief Engineer; power, 1 KW. (B4-PED-38)

Bob Jones College, Inc., Cleveland, Tenn.—Granted petition for reinstatement of application for construction permit for a new station to operate on **550 kc.**, 1 KW, night; 5 KW-LS, unlimited time, and designated same for consolidated hearing with application of The Constitution Broadcasting Co. (B3-P-2905) and application of WOPI. (Docket 6661)

KFFA—The Helena Broadcasting Co., J. Q. Floyd, et al., Helena, Ark.—Granted, subject to procedural requirements of Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945, application for construction permit to change frequency from **1490** to **1230 kc.**; this application involves only change in crystals, the cost of which is less than $500. (B3-P-3724)

WATW—Upper Michigan-Wisconsin Broadcasting Co., Inc., Ashland, Wisc.—Granted, subject to procedural requirements of Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945, application for construction permit to increase power from 100 watts to 250 watts and change type of transmitter; this application involves only change in tubes, the cost of which is less than $500. (B4-P-3676)

WOMT—Francis M. Kadow, Manitowoc, Wisc.—Granted, subject to procedural requirements of Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945, application for construction permit to increase power from 100 watts to 250 watts and make changes in transmitting equipment; application involves only change in tubes, the cost of which is less than $500. (B4-P-3718)

Robert W. Rounsaville, Cleveland, Tenn.—Granted conditionally application for construction permit for new station to operate on **1340 kc.**, 250 watts, unlimited time; application was granted under the procedure outlined in the Commission's Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. The application is for a station in a community which has no primary service. (B3-P-3689)

Loys Marsdon Hawley, Conway, S. C.—Granted conditionally application for construction permit for new station to operate on **1490 kc.**, 250 watts, unlimited time; application was granted under the procedure outlined in the Commission's Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. The application is for a station in a community which has no primary service. (B3-P-3709)

KOIN—KOIN, Inc., Portland, Ore.—Designated for hearing application for construction permit to change frequency from **970** to **660 kc.**, increase power from 5 KW to 25 KW, install new equipment and make changes in the directional antenna system for daytime and nighttime use, upon issues relating to conformity with the provisions of Section 3.25 of the Commission's Rules and relating to the January 26, 1944, Supplemental Statement of Policy as supplemented by statement of January 16, 1945. (B5-P-3712)

KWKW—Marshall S. Neal, Paul Buhlig, Edwin Earl and E. T. Foley, d/b as Southern California Broadcasting Co., Pasadena, Calif.—Designated for hearing application for construction permit to change frequency from **1430** to **830 kc.**, increase power from 1 to 5 KW, install new transmitter and antenna, and move transmitter site to Monterey Park, Calif., upon issues relating to critical materials and manpower as outlined in January 26, 1944, Supplemental Statement of Policy as supplemented by statement of January 16, 1945. (B5-P-3710)

WSPA—Spartanburg Advertising Co., Spartanburg, S. C.—Granted petition for 30-day extension of time within which to comply with the conditions attached to grant of construction permit B-3-P-3384, as modified.

DESIGNATED FOR HEARING

Capital Broadcasting Corp., Little Rock, Ark.—Designated for consolidated hearing with application of Arkansas Democrat Co., application for construction permit for new station to operate on **1400 kc.,** 250 watts, unlimited time. Site to be determined. (B3-P-3729)

Arkansas Democrat Company, Little Rock, Ark.—Designated for consolidated hearing with application of Capital Broadcasting Corp. application for new station to operate on **1400 kc.,** 250 watts, unlimited time. (B3-P-3760)

The Eagle-Gazette Co., Lancaster, Ohio.—Designated for hearing appplication for construction permit for new station to operate on **880 kc.,** 1 KW, daytime only, upon issues relating to use of critical materials and manpower in areas now receiving primary service, as outlined in the Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. (B2-P-3700)

Central Louisiana Broadcasting Corp., Alexandria, La.—Designated for hearing application for construction permit for new station to operate on **1490 kc.,** 250 watts, unlimited time, upon issues relating to use of critical materials and manpower in areas now receiving primary service, as outlined in Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. (B3-P-3722)

Independent Broadcasting Co., Des Moines, Iowa.—Designated for hearing application for construction permit for new station to operate on **940 kc.,** 1 KW day, 250 watts night, unlimited time, upon issues relating to the use of critical materials and manpower in areas now receiving primary service, as outlined in the Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. (B4-P-3770)

Dixie Broadcasting Co., Montgomery, Ala.—Designated for hearing application for construction permit for new station to operate on **800 kc.,** 250 watts, daytime only, upon issues relating to the use of critical materials and manpower in areas now receiving primary service, as outlined in the Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. (B3-P-3691)

KJBS—KJBS Broadcasters, a partnership consisting of William B. Dolph, et al., San Francisco, Calif.—Designated for hearing application for construction permit to install new transmitter and increase power from 500 watts limited to WTAM, to 500 watts night, 1 KW day, upon issues relating to critical materials and manpower as outlined in the Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. (B5-P-3685)

KOVO—KOVO Broadcasting Co., Provo, Utah.—Designated for hearing application for construction permit to change frequency from **1240** to **960 kc.,** increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use, and change transmitter location, upon issues relating to critical materials and manpower as outlined in Supplemental Statement of Policy of January 26, 1944, as supplemented by statement of January 16, 1945. (B5-P-3667)

LICENSE RENEWALS GRANTED

The following stations were granted renewal of licenses for the period ending February 1, 1946: (Commissioner Durr not participating in action on renewal applications.)

KGFJ, Los Angeles, Calif.; KGHI, Little Rock, Ark.; KODL, The Dalles, Ore.; KVCV, Redding, Calif.; WCED, DuBois, Pa.; WFAS and auxiliary, White Plains, N. Y.; WIL, St. Louis, Mo.; WJOB, Hammond, Ind.; WMFR, High Point, N. C.; WMPC, Lapeer, Mich.

The following stations were granted renewal of licenses for the period ending November 1, 1947: (Commissioner Durr not participating in action on renewal applications.)

KFRO, Longview, Texas; WAAB, Worcester, Mass.; WHEC, Rochester, N. Y.

KRIS—Gulf Coast Broadcasting Co., Corpus Christi, Texas.—Granted renewal of license for the period ending November 1, 1945. (Commissioner Durr not participating.)

MISCELLANEOUS

WMFJ—W. Wright Esch, Daytona Beach, Fla.—Granted petition for leave to intervene in the hearing on the application of Augusta Broadcasting Company for construction permit for a new station at Charleston, S. C. (Docket 6708)

Newark Broadcasting Corp., Newark, N. J.—Granted motion for continuance of hearing on application for new station; hearing continued to March 12, 1945. (Docket 6190)

KOMO, KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted motion for continuance of hearing on applications for renewal of licenses of main and auxiliary transmitters of Stations KOMO and KJR; hearing continued to March 15, 1945. (Dockets 6614 and 6644)

WIBX—WIBX, Inc., Utica, N. Y.—Granted petition to intervene in the hearing on the application of Glens Falls Broadcasting Corp. for construction permit for new station at Glens Falls, N. Y. (Docket 6702)

Robert C. Haberstroh, Altoona, Pa.—Granted motion for admission to practice *pro hoc vice* for the purpose of participating in certain deposition proceedings in Altoona, Pa., on behalf of Roy F. Thompson, tr/as Thompson Broadcasting Co., re hearing on applications of Altoona Broadcasting Co. and Thompson Broadcasting Co. for new stations in Altoona, Pa. (Dockets 6697 and 6698)

WDGY—Dr. George W. Young, Minneapolis, Minn.—Granted motion to dismiss without prejudice application for modification of license to decrease night power from 500 watts to 250 watts and change hours of operation. (Docket 6693)

WICC—The Yankee Network, Inc., Bridgeport, Conn.—Granted petition to intervene in hearing on application of Newark Broadcasting Corp. for construction permit for new station at Newark, N. J. (Docket 6190)

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—Denied, without prejudice, petition for reinstatement and consideration of application for construction permit to change frequency from **1260** to **590 kc.,** install DA for day and night use, using present power of 1 KW both day and night. (B5-P-2918)

KVSF—New Mexico Broadcasting Co., Santa Fe, N. Mex.—Denied, without prejudice, petition for reinstatement and consideration of application for construction permit to change frequency from **1340** to **1260 kc.,** increase power from 100 watts to 1 KW, install new antenna and move transmitter site. (B5-P-2917)

WLIB—WLIB, Inc., Brooklyn, N. Y.—Passed over petition for intervention in the hearing on application of New Haven Broadcasters, Essex, Conn.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition to accept appearance filed late in re application of WBAX for renewal of license, and other Wilkes-Barre cases.

Thompson Broadcasting Co., Altoona, Pa.—Granted petition for continuance to February 21 of the consolidated hearing now scheduled for January 31 in re applicant's application and that of Altoona Broadcasting Co.

Centennial Broadcasting Co., Portland, Me.—Granted petition to reopen the record and accept amendment to application for construction permit.

Glens Falls Broadcasting Corp., Glens Falls, N. Y.—Granted petition for leave to amend application for construction permit, and the application as amended, removed from hearing docket and hearing now scheduled for February 12, cancelled.

The Commercial Cable Co., Commercial Pacific Cable Co., Mackay Radio & Teleg. Co., Inc.—The Commission continued the hearing now scheduled for January 23 to February 21, in the Matter of Limitation of Liability for Mistakes or Delays in Transmission or Delivery of Messages.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Denied (Chairman Porter not participating) petition to reinstate, amend, reconsider and grant application for construction permit (B5-P-3021) to change frequency from

1010 to 740 kc., increase power from 5 to 50 KW, install transmitter equipment and make changes in directional antenna; petition being inconsistent with supplemental statement of policy of January 26, 1944; petition denied without prejudice.

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—Denied (Chairman Porter not participating) petition in answer to KQW petition above, and requesting reinstatement of its own application for construction permit (B5-P-2776) to change frequency from 560 to 740 kc., increase power from 1 KW night, 5 KW day, to 50 KW, unlimited time, install new transmitting equipment, erect directional antenna for day and night use and change transmitter location provided the KQW petition is granted; petition being inconsistent with supplemental statement of policy of January 26, 1944; petition denied without prejudice.

Philco Radio & Television Corp., Arlington, Va.—Granted construction permit for new experimental television broadcast station; frequencies to be assigned by FCC Chief Engineer; the station is to be used in connection with the Washington end of the Washington-Philadelphia relay system for experimental television broadcast purposes in Washington. At the same time the Commission notified the applicant that the grant for experimental purposes is not to be construed as a commitment by the Commission for approval of commercial operation.

Allen B. DuMont Labs, Inc., Washington, D. C.—Granted construction permit (reinstatement) for new experimental television broadcast station; frequencies to be assigned by FCC Chief Engineer; transmitter site at Hotel Harrington, 11th and E Streets, N. W. At the same time the Commission notified the applicant that the grant for experimental purposes is not to be construed as a commitment by the Commission for approval of commercial operation.

P. R. Mallory & Co., Inc., Indianapolis, Ind.—Granted construction permit for new experimental television broadcast station; frequencies to be assigned by FCC Chief Engineer. At the same time the Commission notified the applicant that the grant for experimental purposes is not to be construed as a commitment by the Commission for approval of commercial operation.

APPLICATIONS FILED AT FCC

640 Kilocycles

KTBS—George D. Wray, Allen D. Morris, P. E. Furlow and John C. McCormack, a partnership, d/b as Radio Station KTBS, Shreveport, La.—Construction permit to change frequency from 1480 kc. to 640 kc., increase power from 1 KW to 5 KW, install new transmitter and directional antenna for day and night use, and change transmitter site.

800 Kilocycles

NEW—Dixie Broadcasting Co., Montgomery, Ala.—Construction permit for a new standard broadcast station to be operated on 1400 kc. with 250 watts power, unlimited time. Amended: To change frequency to 800 kc., hours of operation to daytime only, make changes in antenna and ground system and specify transmitter location.

1230 Kilocycles

WJNO—WJNO, Inc., West Palm Beach, Fla.—License to cover construction permit (B3-P-3707 as modified) for move of transmitter and studio.

KELO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.—Authority to determine operating power by direct measurement of antenna power.

KELO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.—License to cover construction permit (B4-P-3619) which authorized installation of a new antenna.

WJNO—WJNO, Inc., West Palm Beach, Fla.—Authority to determine operating power by direct measurement of antenna power.

NEW—Howard R. Imboden, tr/as Southwest Broadcasting Co., Pulaski, Va.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation. Amended: re change in transmitter site.

1240 Kilocycles

NEW—Gus Zaharis and Penelope Zabaris, d/b as Chemical City Broadcasting Co., Charleston, W. Va.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

1250 Kilocycles

NEW—Courier Broadcasting Service, Inc., Birmingham, Ala.—Construction permit for a new standard broadcast station to be operated on 1260 kc., power of 250 watts and unlimited hours of operation. Amended: to change frequency to 1250 kc., hours of operation to daytime, changes in antenna and transmitter site.

1300 Kilocycles

NEW—Raoul A. Cortez, San Antonio, Texas—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 1 KW and daytime hours of operation. Amended: to specify studio location.

1390 Kilocycles

NEW—Frank R. Gibson, Lake Charles, La.—Construction permit for a new standard broadcast station to be operated on 1390 kc., power of 1 KW and unlimited hours of operation employing directional antenna day and night.

1400 Kilocycles

NEW—Atlantic Broadcasting Co., Savannah, Ga.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

1410 Kilocycles

KQV—KQV Broadcasting Co., Pittsburg, Pa.—Assignment of license to Allegheny Broadcasting Corp.

1450 Kilocycles

NEW—Ruth Braden Weber, Edward F. Braden, George E. Mead, John H. Braden, Lala Braden Boughton and Kirke M. Beall, d/b as Escambia Broadcasting Co., Pensacola, Fla.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

1470 Kilocycles

WTAW—Agricultural and Mechanical College of Texas, College Station, Texas—Construction permit to change frequency from 1150 kc. to 1470 kc., and change hours of operation from daytime to unlimited time, using 1 KW power.

1490 Kilocycles

NEW—Idaho Radio Corporation, Idaho Falls, Idaho—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

1500 Kilocycles

NEW—Methodist Radio Parish, Inc., Flint, Mich.—Construction permit for a new standard broadcast station to be operated on 1500 kc., power of 250 watts and daytime hours of operation.

FM APPLICATIONS

NEW—Asbury Park Press, Inc., Asbury Park, N. J.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48900 kc. with coverage of 1,279 square miles.

NEW—Allen T. Simmons, Akron, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 45100 kc. with coverage of 10,000 square miles.

NEW—Mississippi Valley Broadcasting Co., East St. Louis, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47100 kc. with coverage of 10,737 square miles.

NEW—Isle of Dreams Broadcasting Corp., Miami, Fla.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47700 kc.** with coverage of 5,689 square miles.

NEW—Times-Star Publishing Co., Alameda, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49100 kc.** with coverage of 6,450 square miles. Amended: to change coverage to 1,014 square miles, change transmitter site, change type of transmitter and changes in antenna system.

NEW—WHP, Inc., Harrisburg, Pa.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43500 kc.** with coverage of 27,450 square miles.

NEW—Herbert Herff, Memphis, Tenn.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45300 kc.** with coverage of 15,400 square miles.

NEW—Summit Radio Corp., Akron, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **46500 kc.** Amended: to specify coverage of 5,380 square miles, specify type of equipment and antenna.

TELEVISION APPLICATIONS

WTZR—Zenith Radio Corp., Chicago, Ill.—Modification of construction permit (B4-PCT-9 as modified, which authorized a new commercial television broadcast station) for changes in visual transmitter, change in ESR from **1270** to **2700** and extension of commencement and completion dates.

NEW—WLIB, Inc., New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #17 **(282000-288000 kc.)**, ESR 2080.

MISCELLANEOUS APPLICATIONS

NEW—Stephens College, Columbia, Mo.—Construction permit for a new noncommercial educational broadcast station to be operated on the frequency of **42100** to **42900 kc.**, power of 1 KW and A3-FM emission.

WNRE—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of construction permit (B1-PIB-45 as modified, for new International Broadcast Station) for extension of completion date from 2-7-45 to 5-7-45.

KNBX—National Broadcasting Co., Inc., near Dixon, Calif.—License to cover construction permit (B5-PIB-60), which authorized construction of a new International Broadcast Station.

KNBI—National Broadcasting Co., Inc., near Dixon, Calif.—License to cover construction permit (B5-PIB-59), which authorized construction of a new International Broadcast Station.

WEJC—National Broadcasting Co., Inc., Washington, D. C.—Construction permit for reinstatement of (B1-PRE-440), which authorized move of relay broadcast transmitter and changes in antenna.

WFBM—WFBM, Inc., Indianapolis, Ind.—Construction permit to install a 1 KW auxiliary transmitter, using directional antenna at night.

Federal Trade Commission Docket

COMPLAINTS

No complaints were issued by the Commission last week.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Foster's Drug Store, Pine Bluff, Ark., stipulated that in connection with the sale of a poultry medicine designated " 'Greatest of All' Tonic" he will discontinue representing that the preparation will facilitate or contribute to the success of the hatching and raising of chickens; will eliminate or "starve-out" mites, lice, fleas, or other insects which attack poultry; will have any effect upon gapes, limberneck, roup, worms or white diarrhea; will improve the condition of poultry after the initial dosage or maintain poultry in a healthy condition; will have any effect upon poultry during the molting period or increase egg production; or, through use of the word "Tonic" in the brand name of the product, or otherwise, that the preparation has any tonic properties. (03244)

Juliette Frocks, 237 South Market St., Chicago, stipulated that he will cease and desist from selling, advertising, labeling, or otherwise representing dresses, which are made from or contain rayon, without clearly and unqualifiedly disclosing in the invoices and labeling and in all advertising matter that such dresses are rayon in whole or in part, as the case may be. (3960)

Hance Bros. & White Co., 12th and Hamilton Sts., Philadelphia, distributors of pharmaceutical products, have stipulated that they will cease and desist from representing that calcium pantothenate, which they sell in tablet form, is effective in restoring the original color to gray hair or in preventing hair from becoming gray, or that experiments or tests have demonstrated that the normal or original color of hair was restored to 22 out of 25 persons, or to any number of persons, as a result of taking calcium pantothenate. (3962)

R. M. Hollingshead Corp., Camden, N. J., will cease and desist from representing that the compound it sells under the name "Metal-Weld" is a welding agent. (3961)

B. Jadow, Inc.—A stipulation to discontinue misrepresenting the quality, composition and value of watch straps has been entered into by B. Jadow, Inc., 41 Maiden Lane, New York. (3959)

Stipulation (3958) (Liquid Shampoo)

Dr. Krauter's Laboratories, Inc., 860 South 11th St., Newark, N. J., engaged in the sale of a liquid shampoo designated "Kroilon," entered into a stipulation in which it agrees to cease representing that the preparation is not an ordinary soap shampoo or is sensationally or substantially different from various other liquid shampoos on the market. (3958)

Midwest Radio Corp., 909 Broadway, Cincinnati, entered into a supplemental stipulation to cease and desist from representing that any radio receiving set that it sells contains a designated number of tubes or is of a designated tube capacity, when one or more of the tubes referred to do not perform the recognized and customary functions of radio tubes in the detection, amplification and reception of radio signals. (03243)

CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

Danville Engraving Co., 220 North Logan Ave., Danville, Ill., has been ordered to cease and desist from misrepresentation in connection with the sale of photoengraving plates used by the printing trade in the reproduction of photographs, drawings and other copy. The respondent produces his plates by the wet plate process, as distinguished from the film or dry plate process, and sells them under the trade name "Decotones." (5045)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 4, January 26, 1945

13TH DISTRICT MEETING

The Thirteenth District opened a two-day session on January 17, with J. Harold Ryan, NAB president, presenting summary of industry activities and problems. Robert T. Bartley spoke on the possibility of legislation and urged stations to inform their congressmen fully on service they are rendering.

Following presentation of the Broadcast Measurement Bureau, which is reported in a special bulletin that will be issued tomorrow, Mrs. Lillian C. Jarman of KTSM, El Paso, presented a public relations report for Karl Wyler of that station, who is District chairman.

A report of the activities of the Broadcast Advertising Department by Lewis H. Avery was followed by a discussion of small market stations, led by James R. Curtis of KFRO, member of the NAB Small Market Station Committee.

In a close election, Martin B. Campbell of WFAA-WBAP-KGKO was elected director of the Thirteenth District for the two-year term starting at the end of the next annual NAB membership meeting or at such time as the Board may designate.

In a series of resolutions, those present urged the radio industry to extend and expand its interest in and devotion to public service programs; suggested that the NAB Board continue its efforts to create resources for training newcomers to broadcasting and for refreshing present practitioners; endorsed BMB; thanked the radio stations of Dallas, their hosts, as well as J. Harold Ryan and Hugh A. L. Halff, present director of the 13th District; opposed the proposed continuing renewal clause, and sharply condemned Petrillo's platter-turner demands.

The following resolutions were adopted unanimously:

1. Whereas District 13 of the National Association of Broadcasters has voted to oppose the adoption of a policy of continuing discounts as a provision of the Standard Contract Form, therefore

Be it resolved that the Board of Directors of NAB is requested to delete the proposed revision of Section 5(d) of the NAB-AAAA Standard Contract for Station Facilities.

2. Whereas District 13 of the National Association of Broadcasters is opposed to the principle of "made work" in the radio industry, and

Whereas it is concerned over an effort to require the industry to employ members of the American Federation of Musicians to turn and perform recordings, therefore

Be it resolved that the Board of Directors of NAB and the radio industry at large resist all efforts to compel compliance with such practice, which is both capricious and impractical, and an encroachment upon the right of every station to determine its own operating policies consistent with the responsibilities which its license imposes.

3. Whereas District 13 of the National Association of Broadcasters recognizes the need for a standard method of measuring coverage of radio stations, and

Whereas it recognizes that the plan of Broadcast Measurement Bureau, Inc., will meet such a need, therefore

Be it resolved that all stations of the radio industry are urged to support and subscribe to BMB.

4. Whereas the members of District 13 of the National Association of Broadcasters recognize their obligation to operate their stations in the public interest, convenience and necessity, and

Whereas they find opportunities to perform a unique public service by the application of the Broadcasting Art, therefore

Be it resolved that the radio industry be urged to continue to extend and expand its interest in and devotion to public service programs and develop all opportunities in the field of public relations.

5. Whereas the members of District 13 of the National Association of Broadcasters recognize the fluid characteristics of the broadcasting art and the continuing and rapid development of this art, therefore

Be it resolved that the radio industry and the Board of Directors of NAB continue efforts to create the resources for the training of newcomers to broadcasting and establish facilities for review and refresher studies by its present practitioners.

6. Whereas this meeting has afforded everyone in attendance benefits of highly informative talks and discussions of matters of interest and concern to broadcasters, therefore

Be it resolved that District 13 of the National Association of Broadcasters expresses its thanks and appreciation to the radio stations of Dallas and all others who have assisted in holding and entertaining the District Meeting.

7. Whereas he is devotedly serving the radio industry with talent and distinction, and

Whereas his administration is marked with a genuine contribution to the dignity and prestige of broadcasting, both within and without the industry, therefore

Be it resolved that District 13 of the National Association of Broadcasters extends its deep appreciation of the service of J. Harold Ryan as President of NAB.

8. Whereas his service to his district is and has been outstanding, and

Whereas he has made a valuable contribution to the radio industry as a member of the Board of Directors of NAB from District 13, therefore

Be it resolved that the members of the District acknowledge, with deep appreciation, the services of Hugh A. L. Halff.

REGISTRATION

13th District

TEXAS: Howard Barrett, KRBC, Abilene; Raymond D. Hollingsworth, Aubrey Jackson, O. L. (Ted) Taylor, KGNC, Amarillo; Alex Keese, Taylor-Howe-Snowden, Amarillo; Walter G. Russell, KASA, Amarillo; Hardy C. Harvey, KNOW, Austin; Pat Adelman, KTBC, Austin; John W. Gunstream, State Dept. of Education, Austin; C. B. Locke, KFDM, Beaumont; E. C. Davis, KRIC, Beaumont; Wendell Mayes, KBWD, Brownwood; Aubrey H. Escoe, KAND, Corsicana; J. W. Crocker, W. A. Roberts, KRLD, Dallas; Morris M. Ming, R. G. Terrell, KSKY, Dallas; Ray Collins, WFAA, Dallas; Karl Lambert, Ralph K. Maddox, James M. Moroney, WFAA/KGKO, Dallas; Charles B. Jordan, Roy Newman, Pete Teddlie, WRR, Dallas; J. H. Douglas, General Electric, Dallas; Clyde B.

(Continued on page 32)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N.W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations;* Lewis H. Avery, *Director of Broadcast Advertising;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Arthur C. Stringer, *Director of Promotion;* John Morgan Davis, *General Counsel.*

REGISTRATION

(Continued from page 31)

Melville, Lone Star Chain, Dallas; Herbert Denny, Standard Radio, Dallas; B. V. Hammond, Jr., Denison; Lillian Caldwell Jarman, KTSM, El Paso; C. L. Trigg, KROD, El Paso; Gene L. Cagle, KFJZ, Forth Worth; Layne Beaty, George Cranston, Ed Lally, R. C. Stinson, WBAP/KGKO, Fort Worth; Troy McDaniel, KGBS, Harlingen; Kern Tips, KPRC, Houston; Roy Hofheinz, KTHT, Houston; B. F. Orr, KTRH, Houston; Bill Bennett, Reese Reinecke, T. Frank Smith, KXYZ, Houston; James R. Curtis, KFRO, Longview; DeWitt Landis, KFYO, Lubbock; J. M. McDonald, KRLH, Midland; Bill Laurie, KNET, Palestine; Wayne Phelps, Tex DeWeese, KPDN, Pampa; Ernest Jones, KPLT, Paris; Jack Hawkins, KIUN, Pecos; W. I. Harpole, KVOP, Plainview; Lewis O. Seibert, KGKL, San Angelo; Charles W. Balthrope; Bill Michaels, KABC, San Antonio; George W. Johnson, Rex Preis, Doug Romine, KTSA, San Antonio; C. K. Beaver, Hugh A. L. Halff, Frederick A. Peery, WOAI, San Antonio; L. L. Hendrick, KRRV, Sherman; Burton Bishop, KTEM, Temple; Robert Bielch, Ernest Hackworth, Walter E. Hussman, Don H. Myers, Frank O. Myers, KCMC, Texarkana; James G. Ulmer, KGKB, Tyler; R. Lee Glasgow, WACO, Waco; Archie J. Taylor, KRGV, Weslaco.

ILLINOIS: Gus Hagenah, Standard Radio, Chicago; Ralph S. Hatcher, Station Relations, CBS, Chicago; A. W. Kaney, NBC, Chicago.

LOUISIANA: George H. Thomas, KVOL, Lafayette.

NEW YORK: Claude Barrere, NBC, New York City; James H. Connolly, Blue Network, New York City; Hugh Feltis, Broadcast Measurement Bureau, New York City; Charles Godwin, Mutual, New York City; George W. Johnston, SESAC, Inc., New York City; Linned Nelson, J. Walter Thompson, New York City; Ralph C. Wentworth, Broadcast Music, Inc., New York City.

NEW JERSEY: Sherman H. Rothkamp, Finch Telecommunications, Inc., Passaic.

MISSOURI: George A. Kercher, Edward Petry & Co., St. Louis.

WASHINGTON, D. C.: J. Harold Ryan, Pres., Lewis H. Avery, Robert T. Bartley, Helen Cornelius, NAB.

PORTER'S SPEECH TO FCC BAR ASSOCIATION

Paul A. Porter, Chairman of the Federal Communications Commission, spoke before the FCC Bar Association Friday evening, January 19, 1945, at Washington, D. C. His remarks follow:

My major topic today is the Commission's "freeze policy" on new broadcast construction; and I had better warn you at the start that before I am through, most of you will have chilblains. For the essence of the Commission's present policy, as determined earlier this week, is to grant no new broadcast applications involving construction, except for a few sharply defined classes of applications. The rigor of the rules may be judged by the fact that of fifteen applications for new standard broadcast stations or changes in facilities considered this week, only five were granted. Three of the grants were for changes in local channel stations. The two granted for new stations were both for communities which have no other broadcast stations and will serve areas having no primary service from any existing station.

The new statement of policy, made public January 17, 1945, does not supersede the January 26, 1944, statement of policy. All the restrictions of the 1944 policy, under which the Commission has operated for a year, remain in effect. What we have just done is to define sharply the category of grants which will be deemed to "serve an outstanding public need or national interest," as the 1944 freeze statement puts it. Specifically, applicants will now have to show, in addition to meeting all the earlier conditions, that the construction will result in making service available to a community *which does not receive service from any existing station.*

This policy will apply also to changes in existing standard broadcast facilities, except where the change does not involve any substantial construction work and does not cost more than $500.

Having stated the Commission's present policy as strongly as it deserves to be stated, let me say that this new strictness does not arise out of any whim or caprice on the part of the Commission—or out of any change in Commission membership—but out of the logic of the situation in which we find ourselves. From the beginning, the Commission's policy has been closely geared to overall Administration policy, and dictated—like other Administration policy—by the primary urgency of winning the war with all our resources and with a minimum of unnecessary civilian dislocation.

The Commission first announced a freeze policy on February 23, 1942. That was the day a Japanese submarine shelled the California coast. The Nazi U-boats were in the Caribbean, MacArthur was holding Bataan. The country was mobilizing for victory.

Two months later, on April 27, 1942, the freeze policy was further tightened. That was the day 13,000,000 Americans from 45 to 64 years of age were registered for Selective Service. Bataan had fallen, and Corregidor was under attack. We were wondering whether we could ever get at Hitler through his U-boat barricade. Most of us were too worried to think about the construction of new standard broadcast stations.

There were minor additions to the Commission's policy through 1942 and 1944, and in August 1943 provision was made for establishment of local channel stations in communities where no station was then located, but the important change came on January 26, 1944. By then, the world looked brighter. Eisenhower had landed in Africa and had the situation well in hand. Our war production was in high gear; tanks, planes, guns, and communications equipment were streaming from the production line to the battlefronts. The great Russian victories on the Eastern front made it clear that Hitler was caught in a vise whose closing he could at worst only delay. In those circumstances the Commission and the WPB put their heads together, reassessed the situation, and came up with the January 26, 1944, policy which is still in full force and effect.

That policy has two major facets. First, an applicant for a new station, or for a change in an existing station involving substantial construction, must show that a grant will "serve an outstanding public need or national interest." Second, FCC grants in the first instance are conditional upon the applicant's procuring within a reasonable time all the necessary clearances from WPB.

The phrase "serve an outstanding public need or national interest" can be interpreted more or less rigorously; and looking back, I am inclined to think that what was needed was a phrase having that flexibility. The year just past saw the utter defeat of Hitler in France, and his precipitate retreat into his lair. The reports from Europe justified the actions of the time—the WPB spot authorization plan, the removal of many foodstuffs from the OPA ration list, reconversion plans everywhere. During that period of optimism, the phrase "serve an outstanding public need or national interest" was flexible enough to bend to the temper of the period.

Then came the German stand before the Rhine, the von Rundstedt counter-offensive, and the quickening of the pace here at home. The country saw that it must gird itself for a new and even greater effort. The racetracks were closing. Reconversion talk is put aside. The President has urged National Service legislation. And these factors require a reinterpretation of the standard of "outstanding public need or national interest" to fit the facts of life as we know them today.

Accordingly, all standard broadcast applications are frozen with the following exceptions:

> 1. Applications not involving substantial construction, and involving less than $500 costs, can be granted if they meet the other terms of the January 26, 1944, freeze policy.
>
> 2. Applications can be granted upon a showing that the construction will result in making service available to a community which does not receive primary service from any existing broadcast station, if the application meets all the requirements of the January 26, 1944, freeze.

Applications must also, of course, conform to the Commission's Rules and Regulations, and Standards of Good Engineering Practice.

The critical wartime situation with respect to materials and manpower confronting the Commission is described in a report of January 16, 1945, to the Commission from John Creutz, Chief of the Domestic and Foreign Branch, Radio and Radar Division, WPB, copies of which were made public along with the Commission's Supplemental Statement of Policy on January 16. The report states:

> "Present problems in production to meet military requirements for radio equipment are different and perhaps more severe than those problems existing a year ago. The two basic problems are materials and manpower. During the last two years, problems have shifted to a large extent from those of materials to those of manpower. Basically, even the problem of materials usually resolves itself to a combination of manpower and time necessary for processing or obtaining more basic raw materials."

In addition to showing the Commission that service will be made available to communities which do not receive primary service from any existing broadcast station, applicants will hereafter as in the past have to get all necessary clearances from the WPB before the Commission's conditional grant becomes final. The WPB policy in reviewing such cases is very clearly set forth in the report of January 16, 1945:

> "Installation of new broadcasting services will be reviewed with extreme care. All such applications received and showing that the required equipment was on hand were approved until the latter part of December. The increasing problem of finding manpower for war industries had made it necessary to consider the manpower needed to construct, operate and provide maintenance for additional stations.
>
> "It is not felt that the general premise that 'broadcasting is in the war interest' will longer suffice to support the use of manpower and maintenance materials for new stations. Applications must be critically reviewed from the standpoint of available manpower and the *need for the service to contribute to the war effort*. The use of manpower cannot be approved unless an actual contribution is to be made."

Let me add just one point to that trenchant statement. Applications which on their face do not meet the stringent requirements of the freeze policy will be designated for hearing without delay. With respect to applications on file, including applications in process of hearing, the policy is equally applicable. It is expected that persons interested in radio will cooperate with us until such time as conditions warrant a return to a more liberal policy. So much for standard broadcast applications.

With respect to FM and television, the "pending file" policy still holds. Applications are accepted for the pending file, where they will remain until the manpower and materials situation permits actual construction. At that time due notice will be given to all concerned, and in an orderly manner all applications will be processed and acted upon. FM and television grants will *not* be made on a first-come, first-served basis. We hope that in most communities there will be enough channels for all qualified FM applicants; where that is not the case, grants will be made, after hearing, to those best qualified—not to those under the wire earliest.

The freeze order does not apply, and has never applied, to experimental and developmental services. In that connection, the WPB Report of January 16, 1945, states:

> "Every effort has been made to aid in development work. Blanket priorities have been provided for laboratories, and every possible aid has been given in all fields of development. Application of radio to bus lines, railroads, etc., has been tested by several companies. In conjunction with the Federal Communications Commission, several broadcast stations have received priorities for developmental work in frequency modulation."

Let me hasten to add, however, that the developmental license is *not* a loophole in the general freeze. Only those experimental or developmental applications will be granted which involve *bona fide* exploration of new techniques or devices, and which give promise of adding to our knowledge of the art. An experimental or developmental license, moreover, gives no priority on a frequency for subsequent commercial operation.

There is real need for experiment and development, especially in the higher frequencies, with respect to both FM and television. The freeze does not stand in the way of real work in this field. But fruitless experimental or developmental applications, like unsubstantial applications generally, will merely waste the time of applicants, the time of the Commission, and the time of the WPB.

I hope that I have answered some of your questions about the freeze except one: namely, how long will the freeze last? That is a question which neither the Commission nor anybody else can answer. It depends upon the success of our forces in the field, upon the duration of enemy resistance—and upon the wholeheartedness with which we here at home support with every power at our command the men on the firing lines. But I do want to urge one caution:

A few months back, the military news was unqualifiedly good, and the thoughts of many people focused promptly on postwar plans. A flood of applications descended upon the Commission. No blame is attached to that situation; it was a very human error. But if it happens *again*, we will not again be blameless.

The news this week is filled with the victories of our Russian Allies on the Eastern front and our own progress on Luzon. Let us rejoice in those victories, but—

Let's keep our eye on the ball. To quote the President's words on National Service:

> "As the United Nations enter upon a truly total offense against their enemies, it is vital that total offense should not slacken because of any less than total utilization of our manpower on the home front."

NAB NEWS COMMITTEE MEETS

The NAB News Committee met in Chicago on Wednesday, January 24.

(a) They formulated recommendations relative to the maintenance of high status of radio news.

(b) Completed plans for the organization of the Council on Radio Journalism.

(c) Arranged to extend cooperation with the Radio Correspondents Association of Washington, D. C.

The sub-committee handling this matter consists of L. Spencer Mitchell, WDAE, Tampa, and H. K. Carpenter, WHK, Cleveland.

On Thursday, January 25, the News Committee met with a committee from the American Association of Schools and Departments of Journalism. Fred S. Siebert, Director of the School and Professor of Journalism, was elected chairman of the Council on Radio Journalism. Arthur Stringer, NAB, was elected secretary. Both were elected unanimously.

Membership of the News Committee:

*Karl Kierper, chairman, KMBC; *William Brooks, NBC, New York; H. K. Carpenter, WHK, Cleveland; Rex G. Howell, KFXJ, Grand Junction; L. Spencer Mitchell, WDAE, Tampa; *E. R. Vadeboncoeur, WSYR, Syracuse; and *Paul White, CBS, New York.

Asterisk indicates membership on the Council on Radio Journalism. The additional Council member is Arthur Stringer, NAB.

Council membership, representing the Schools and Departments of Journalism are:

Wilbur Schramm, State University of Iowa
Mitchell Charnley, University of Minnesota
Floyd Baskette, Emory University
I. Keith Tyler, Ohio State University.

FMBI TO PROTEST FCC ALLOCATION

The Board of Directors of FM Broadcasters, Inc., at a special meeting held in Washington Jan. 19, after reviewing the report of the Federal Communications Commission proposing a re-allocation of frequencies above 25 megacycles, reaffirms the position taken by the Association at the public hearing held last fall and expressed its opposition to the proposed drastic change in the position of FM broadcasting in the spectrum.

(FM commercial and educational broadcasting is now assigned to the band from 42 to 50 megacycles and the Commission's report proposes to move the band to 84 to 102 magacycles.)

While the Board expressed its unanimous approval to that part of the report allocating additional frequencies for FM broadcasting and the maintenance of high fidelity standards, it expressed concern over changing from a band where FM has been operating satisfactorily for more than five years to one which has been unexplored for this type of service and for which receiving sets and transmitters have to date not been contemplated or designed.

The Board authorized the President to appoint a committee to prepare and supervise FMBI's appearance at the announced oral argument. This committee is as follows: John Shepard 3rd, Chairman; Theodore C. Streibert, Cecil D. Mastin, C. M. Jansky, Jr., J. E. Brown and Walter J. Damm, ex-officio.

NEW RADIO BILLS

Representative Dondero, Mich., has introduced a bill HR 1648, to amend the Communications Act of 1934 as amended, so as to prohibit interference with the broadcasting of non-commercial cultural or educational programs. The bill, which is identical with the Vandenberg in the Senate, has been referred to the House Committee on Interstate and Foreign Commerce.

943 STANDARD BROADCAST STATIONS

During the month of December the FCC granted six new construction permits. A comparative table of the number of standard broadcast stations by months, follows:

	1944												1945
	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1
Operating	910	910	909	909	909	910	912	913	912	914	916	919	919
Construction	2	4	8	9	11	13	12	13	16	15	15	18	24
	912	914	917	918	920	923	924	926	928	929	931	937	943

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 29. They are subject to change.

Monday, January 29

Consolidated Hearing

NEW—Utica Broadcasting Company, Utica, New York—C. P. **1450 kc.**, 250 watts, unlimited.

NEW—Ronald B. Woodyard, Utica, New York—C. P. **1450 kc.**, 250 watts, unlimited.

Thursday, February 1

Consolidated Hearing

KRBC—Reporter Broadcasting Company, Abilene, Texas—C. P. to install new transmitter, change antenna, change frequency, increase power and install direction antenna. **1470 kc.**, 1 KW, unlimited, DA-night.

KPLC—Calcasieu Broadcasting Company, Lake Charles, Louisiana —C. P. to change frequency, increase power, install new transmitter and make changes in antenna. **1470 kc.**, 1 KW, unlimited.

NEW—H. C. Cockburn, tr/as San Jacinto Broadcasting Company, Houston, Texas—C. P., **1470 kc.**, 1 KW, unlimited.

Federal Communications Commission Action

The meeting of the Commission was held this week after the Bulletin went to press.

LICENSE RENEWALS

Granted renewal of following relay broadcast station licenses for period ending not later than February 1, 1946:

KABG, Ben S. McGlashan, area of Los Angeles, Calif.; KIIF, Missouri Broadcasting Corp., area of St. Louis, Mo.; KBQA, Winona Radio Service, area of Winona, Minn.

Granted renewal of following relay broadcast station licenses for the period ending not later than November 1, 1947:

WEOY, John M. Rivers, Charleston, S. C.; WAID, WAUQ, WGBE, WGBH, Onondaga, Radio Broadcasting Corp., Syracuse, N. Y.; WEND, WHPA, WHP, Inc., Harrisburg, Pa.

Granted extension of following relay broadcast station licenses, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than April 1, 1945:

WBWB, Banks of the Wabash, Inc., Terre Haute, Ind.; WBLR, Columbus Broadcasting Co., Inc., Columbus, Ga.; WAXL, Jonas Weiland, Kinston, N. C.; WAIJ, WAIY, WIBX, Inc., Utica, N. Y.; WJAE, WJNO, Inc., West Palm Beach, Fla.; WHPT, Radio Station WMFR, Inc., High Point, N. C.

Granted further extension of following relay broadcast station licenses, upon a temporary basis only, pending determination upon aplication for renewal of license, in no event later than April 1, 1945:

KSBF, KEHV, KFJU, KETV, KRSA, KSFQ, The Associated Broadcasters, Inc., San Francisco, Calif.; KFAA, A. H. Belo Corp., Dallas, Tex.; KNED, Carter Publications, Inc., Ft. Worth, Tex.; WADA, Charleston Broadcasting Co., Charleston, W. Va.; WCBE, Columbia Broadcasting System, Inc., Charlotte, N. C.; WAUT, Evansville on the Air, Inc., Evansville, Ind.; KIEL, Fisher's Blend Station, Inc., Seattle, Wash.; WQER, Georgia School of Technology, Atlanta, Ga.; KAXY, KEJR, KGKO Broadcasting Co., Ft. Worth, Tex.; WAXJ, Lamar Life Insurance Co., Jackson, Miss.; WTAB, Indianapolis Broadcasting Co., Indianapolis, Ind.; KABF, McClatchy Broadcasting Co., Sacramento, Calif.; WABG, Memphis Publishing Co., Memphis, Tenn.; WAOE, Martin R. O'Brien, Aurora, Ill.; WAIN, WEKH, Peoria Broadcasting Co., Peoria, Ill.; KBTA, KBTB, Red River Broadcasting Co., Inc., Duluth, Minn.; WTNK, WOAX, Inc., Trenton, N. J.; WMWA, WOKO, Inc., Albany, N. Y.

Placed in pending file the following applications for construction permits for new non-commercial educational stations:

Western Illinois State Teachers College, Macomb, Ill. (B4-PED-43); State University of Oklahoma, Norman, Okla. (B3-PED-41)

Placed in pending file following applications for construction permits for new high frequency (FM) broadcast stations:

WLIB, Inc., New York, N. Y. (B1-PH-402); WCMO, Inc., Texarkana, Tex. (B3-PH-397); Eagle Publishing Co., Pittsfield, Mass. (B1-PH-398); The Farmers & Bankers Broadcasting Corp., Wichita, Kans. (B4-PH-380)

MISCELLANEOUS

WLAK—Radio Station WLAK, Lakeland, Fla.—Granted authority to determine operating power by direct measurement of antenna power.

KNAK—Granite Dist. Radio Broadcast Co., Salt Lake City, Utah.—Granted modification of construction permit which authorized a new station, for changes in transmitting equipment, approval of antenna, change in main studio location from 248 South Main St. to 1016 South Sixth St., West, Salt Lake City, and approval of transmitter location at 1016 S. Sixth, West, Salt Lake City.

Chatham Broadcasting Company, Savannah, Ga.—Adopted order granting petition to dismiss without prejudice application for construction permit for new station. (Docket 6641)

F. R. Pidcock, Sr., and James M. Wilder, d/b as Georgia Broadcasting Co., Savannah, Ga.—Adopted order granting, in part, motion for continuance of consolidated hearing on applications of Georgia Broadcasting Co. and A. C. Neff for construction permits for new stations at Savannah, Ga.; hearing continued to February 14, 1945. (Dockets 6639 and 6640)

WHBF—Rock Island Broadcasting Company, Rock Island, Ill.—Granted license to cover construction permit which authorized installation of auxiliary transmitter (B4-L-1850); granted authority to determine operating power by direct measurement of antenna power. (B4-Z-1653)

WBKY—University of Kentucky, Lexington, Ky.—Granted modification of construction permit to make changes in antenna system and extend completion date from February 27 to 60 days from date of grant. (B2-MPED-20)

WBGM—Westinghouse Radio Stations, Inc., area of Fort Wayne, Ind.—Granted renewal of relay broadcast station license for period ending May 1, 1945. (B4-RRY-140)

APPLICATIONS FILED AT FCC

970 Kilocycles

KOIN—KOIN, Inc., Portland, Oregon.—Construction permit to make changes in transmitting equipment.

1230 Kilocycles

WJEF—John E. Fetzer and Rhea Y. Fetzer, d/b as Fetzer Broadcasting Co., Grand Rapids, Mich.—License to cover construction permit (B2-P-3590 as modified) for a new standard broadcast station.

WJEF—John E. Fetzer and Rhea Y. Fetzer, d/b as Fetzer Broadcasting Co., Grand Rapids, Mich.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

WBIR—American Broadcasting Co., Knoxville, Tenn.—Voluntary assignment of license to Radio Station WBIR, Inc.

1280 Kilocycles

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Construction permit to increase power from 1 KW night, 5 KW daytime to 5 KW day and night and make changes in directional antenna system for night use.

1340 Kilocycles

KPDN—R. C. Hoiles, Pampa, Texas.—Assignment of license to C. H. Hoiles, Harry Hoiles and Jane Hoiles, a partnership, d/b as Radio Station KPDN.

1450 Kilocycles

NEW—Glens Falls Broadcasting Corp., Glens Falls, New York—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts, and unlimited hours of operation; AMENDED to change requested frequency to **1450 kc.**

NEW—Centennial Broadcasting Co., Portland, Maine—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation; AMENDED re changes in transmitting equipment.

1490 Kilocycles

WKIX—Inter-City Advertising Co., Columbia, S. Car.—Modification of construction permit (B3-P-3650 which authorized a new standard broadcast station) for approval of antenna and transmitter site, specify studio site and change type of transmitter.

FM APPLICATIONS

NEW—Green Bay Newspaper Co., Green Bay, Wisc.—Construction permit for a new high frequency (FM) broadcast station; AMENDED to specify frequency of **44900 kc.**, coverage of 6,790 square miles, type of transmitter and transmitter and studio locations and change in corporate structure.

NEW—The Radio Station KFH Co., Wichita, Kansas—Construction permit for a new high frequency (FM) broadcast station to be operated on **46100 kc.**, with coverage of 18,170 square miles.

MISCELLANEOUS APPLICATION

WNEX—Macon Broadcasting Co., Macon, Ga.—Modification of construction permit (B3-P-3688 for a new standard broadcast station) for approval of antenna, transmitter and studio sites.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

Shields of Faith Company, with places of business at 85 Van Braam Street, Pittsburgh, and 230 East Ohio Street, Chicago, are charged in a complaint with making false and deceptive representations with respect to the amount of protection afforded to members of the armed forces who carry steel-covered Bibles and Catholic prayer books sold by the respondents. (5265)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Chas. Anzman & Son, 333 Seventh Avenue, New York, engaged in the manufacture and sale of women's fur coats, stipulated that they will cease and desist from the use of the words "civet cat" or "civet," or terms of like meaning, either alone or in connection with other words, to designate furs or fur garments made of the peltries of the little spotted skunk or the little striped skunk, or of any peltries other than civet peltries. (3963)

Hook-Fast Specialties, Inc.—An amended stipulation relating to use of the word "free" to describe merchandise has been entered into by Hook-Fast Specialties, Inc., 220 Eddy Street, Providence, Rhode Island, dealer in belts, buckles, bracelets and other specialty items. (02545)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Dodge, Incorporated, 706 North Hudson Ave., Chicago, has been ordered to cease and desist from representing that the steel-covered religious books it sold for use by members of the armed forces will stop or deflect bullets or similar projectiles or will otherwise afford any substantial protection from such projectiles. (5185)

Hawkeye Sales, Inc., 615 Tenth Street, Des Moines, Iowa, and its sales manager, Tim Lake, from disseminating false advertisements concerning two poultry medicines they sell under the names "Blu-V-Spray" and "Jermite." (4919)

Healthaids, Inc.—An order has been issued prohibiting the dissemination of false advertisements which represent that the widely-advertised product "Serutan" is a cure or remedy for constipation.

Respondents named in the order are Healthaids, Inc., of New Jersey, 404 Tonnele Ave., Jersey City, manufacturer and distributor of Serutan, and The Journal of Living Publishing Corporation and Victor H. Lindlahr, both of 1819 Broadway, New York, who were found by the Commission to have cooperated with Healthaids, Inc., in advertising the preparation. Lindlahr is editor of the magazine "Journal of Living" and author of books, pamphlets and circulars published and sold by the publishing company, and is employed by Healthaids as a radio lecturer. He receives compensation from both corporate respondents and actively promotes the sale of Serutan to the public. He is a director of the publishing company, as are Matthew Rosenhaus and Maurice Haas, president and treasurer, respectively, of the Healthaids corporation. (4332)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 5, February 2, 1945

ANNUAL MEETING ABANDONED

DISTRICT MEETING ATTENDANCE LIMITED

In response to the appeal made on January 5 by James F. Byrnes, Director of War Mobilization and Reconversion, for the curtailment of non-essential travel, plans for the annual convention have been abandoned and action to restrict attendance at the district meetings scheduled subsequent to February 1, has been taken. Directors in the districts involved have notified stations to limit their attendance to but one representative and have stated that in no case must the attendance at any meeting exceed 50, thus making them conform to regulations. A policy of advance registration will be followed in order to be certain that no more than 50 will attend any meeting. In this connection it is significant that a study of the attendance at the five meetings thus far held discloses that not as many as 50 from outside the community in which the meeting was held have been in attendance.

The limitation on attendance necessitated the cancellation of the 12th district meeting which was to have been held jointly with the 10th district at Kansas City on February 7 and 8. The combination of the two meetings made it impossible to keep the attendance below 50 if all stations in both districts were to be represented. Director William B. Way of the 12th District therefore, postponed his meeting and Director Gillin of the 10th District has taken steps to pre-register representatives from the stations in his district to assure himself that less than 50 from out of town will attend.

In addition, NAB associate members and government agencies and departments which had planned to send outside representatives to these meetings have been requested to abandon such plans.

President J. H. Ryan today issued the following statement with respect to this matter:

"In compliance with the expressed wishes of the Government to limit the amount of travel, and to avoid any conventions or meetings which would bring together from outside the city in which the meeting is scheduled more than 50 persons, the National Association of Broadcasters has cancelled its annual convention which would normally be held in the late spring. The NAB convention usually has an attendance of more than 1,000.

"In the matter of District meetings, on which the NAB is currently engaged, only those will be held which conform in all respects to the government's requirements. These, few in number, and bringing only a handful of broadcasters from out of town, will be scheduled only because in the opinion of the NAB they are absolutely essential in helping all broadcasting stations to consider and execute their 1945 plans for the furtherance of the war effort of the government and its various departments to the end that the war may be brought to a speedy and victorious conclusion. With this objective in mind, this 25th anniversary year of American radio broadcasting is dedicated to victory."

Announcement with respect to the meetings scheduled in the second series of district meetings to begin at Boston on March 6, will be made in the near future.

NLRB HEARS NABET-NBC-BLUE CASE

On Tuesday (30) a hearing was held in New York before trial examiner of the National Labor Relations Board on the complaint filed by the National Association of Broadcast Engineers and Technicians (NABET) charging the National Broadcasting Company and the Blue Network with an unfair labor practice. The charge grew out of the refusal of both NBC and the Blue to continue discussions with NABET with respect to a contract which covered platter turners. The issues are better understood in the light of letters which were sent on January 6 to Allan T. Powley, NABET president, by Niles Trammel and Mark Woods, presidents respectively of the two networks. The NBC letter follows:

"This letter is in response to the request you made on Wednesday of this week for a written statement of our position with respect to jurisdiction over 'platter turners.' You stated that your union did not deem it advisable to continue the negotiations for a new collective bargaining agreement unless your jurisdiction was recognized.

"The National Broadcasting Company has given this matter considerable thought and I must now advise you that we are not in a position to give you our commitment recognizing your union as the proper bargaining agent for 'platter turners.' We have come to this conclusion because, based on the facts which I shall summarize in this letter, it seems clear to us that this question can be resolved effectively only by judicial determination.

"In January 1944 in the course of negotiating with the American Federation of Musicians a new contract covering the instrumental musicians in our employ we agreed, effective in June, to employ musicians as 'platter turners.' We made this agreement in the belief that we and you could more exactly define 'on the air play-back' equipment (as those words are used in our NABET contract) so as to exclude therefrom the actual work of turning 'platters,' leaving the equipment itself solely under the jurisdiction of your engineers.

"In April your union instituted a proceeding before the National Labor Relations Board seeking a declaration that your union was the proper collective bargaining agent for the employees engaged in 'platter turning.' The American Federation of Musicians and the Company were parties to those proceedings. On November 24, 1944, the National Labor Relations Board handed down its order certifying your union as the proper collective bargaining agent for employees engaged (except in Chicago) in 'platter turning.' We expected that this order would finally settle this jurisdictional controversy between your union and the American Federation of Musicians and we were fully prepared to negotiate with you on that basis.

"However, on December 1, 1944, we were informed that the American Federation of Musicians did not regard the Board's decision as determinative of the issues involved and, accordingly, had ordered the musicians in Hollywood

(Continued on page 38)

NAB LIBRARY

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N.W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations;* Lewis H. Avery, *Director of Broadcast Advertising;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Arthur C. Stringer, *Director of Promotion;* John Morgan Davis, *General Counsel.*

NLRB HEARS NABET-NBC-BLUE CASE

(Continued from page 37)

not to participate on the Jack Benny program scheduled for Sunday evening, December 3rd. We were able to have this strike call withdrawn by agreeing to confer with the President of the union, James C. Petrillo, on Tuesday, December 5th, in order that we might be fully apprised of his position with respect to this matter. Prior to attending that meeting, we received from Mr. Petrillo a letter dated December 1st, reading as follows:

> "'Now that the hearing before the National Labor Relations Board is terminated and certification has been granted NABET over work commonly termed "pancake turning" except in Chicago, and which work you have yourself recognized belongs to our union, I deem it appropriate that I write to you my views in the matter.
>
> "'Regardless of the National Labor Relations Board certification, I firmly believe that the agreement we entered into awarding the work of pancake turning to the American Federation of Musicians is legal and proper and I take this means of notifying you that I shall continue to insist upon this jurisdiction so that the work of pancake turning is performed by members of the American Federation of Musicians throughout the country.
>
> "'I do not wish to enter into an argument on the merits of the jurisdiction, but I think I am within my rights in saying that NABET's claim that it is an independent non-dominated unit is not substantiated by the facts and the record. Had this been a "complaint" case before the National Labor Relations Board I feel sure that we would have established that NABET is a dominated organization. Of course such facts and circumstances cannot be established in a representation case, which was the character of the case before the Board. If you were to consider the testimony of Mr. Fredendall at the last hearing you would, I think, be satisfied that it spells nothing more nor less than that NABET is controlled by the companies employing their members.
>
> "'I think the only fair thing to do in this matter is to cause NABET to release jurisdiction over this class of work. Unless that is done we shall be plunged into another controversy, which I am sure neither you nor I desire. Therefore, I hasten to bring to your attention my position in this matter irrespective of the certification by the Board, and I request you to take all necessary steps to put into force and effect the agreement we entered into for the members of the American Federation of Musicians in pancake turning.'

"On December 5th, during my first meeting with you after receiving the foregoing letter, we informed you of its contents.

"You will note from Mr. Petrillo's letter that he disputes that you are an 'independent non-dominated unit' and suggests that had the proceeding before the National Labor Relations Board been a 'complaint case' the Board would have sustained his contention. He also states that since his union was not in a position to raise the question of domination in the 'representation case' that issue is still present and is controlling in the ultimate determination of who is entitled to represent employees engaged in 'platter turning.'

"The Company is and always has been willing to abide by a decision conclusively determining the jurisdictional question. However, in view of the fact that the American Federation of Musicians insists that the certification by the National Labor Relations Board did not effectively determine this issue and refuses to abide by it, we decided that we had no alternative but to decline to negotiate with either union with respect to 'platter turners' until the issue was finally and effectively determined.

"The status quo, I trust, will be maintained by all concerned until the issue is finally determined—interruption of our essential services should not be permitted to take place particularly in time of war."

The Blue letter is as follows:

"The following is a statement of the position of the Blue Network in reference to the dispute between your Union and the American Federation of Musicians, headed by Mr. James C. Petrillo, as to which union shall have jurisdiction of our personnel working as platter turners.

"In negotiating a new contract with Mr. Petrillo, for the American Federation of Musicians, in January, 1944, the Blue Network agreed, effective in June, 1944, to employ platter turners who are members of the American Federation of Musicians. This agreement was part of a general contract with the American Federation of Musicians. In making this contract, we were acting in good faith and were advised that we were within our legal rights to award this jurisdiction to the American Federation of Musicians.

"As you know, in April of last year, your Union instituted a proceeding before the National Labor Relations Board whereby you sought to have NABET named as the collective bargaining unit for platter turners. The Blue Network and the American Federation of Musicians were parties to this proceeding. On November 24, 1944, the National Labor Relations Board certified your Union as collective bargaining agent for platter turners, except in Chicago. The Blue Network was prepared to follow the decision of the National Labor Relations Board.

"However, on December 1, 1944, Mr. Petrillo informed us that he did not consider the findings of the National Labor Relations Board binding upon his organization, because he charged that NABET is a so-called company-dominated union. Mr. Petrillo further alleged that the question of whether or not your Union is an independent union had not been considered by the National Labor Relations Board in its proceedings covering the representation of platter turners. He served notice on the Blue Network that, as a result, he expected the network to comply with our agreement of January, 1944, and to employ musicians, rather than engineers, as platter turners.

"At this time, Mr. Petrillo told the Blue Network that unless we recognized the jurisdiction of the American Federation of Musicians over platter turners, in accordance with our contract, he would order a series of 'wild cat' strikes by withdrawing musicians from Blue Network programs at sporadic intervals. If Mr. Petrillo carries out this threat, it will be impossible for us to broadcast leading programs on the network because of the absence of musicians. We have no adequate legal relief in such situation and over a period of time it would be impossible for us to broadcast our leading programs. The result would be that the operation of the Blue Network would be seriously jeopardized.

"For the last month we have been negotiating with you the terms of a new collective bargaining agreement. You have now informed us that you will no longer negotiate unless we accept your Union as the collective bargaining unit for platter turners. In view of the circumstances described above, and particularly Mr. Petrillo's contention that the National Labor Relations Board has not determined the question as to whether your Union is an independent and non-dominated organization, we find ourselves unable to comply with your request unless and until such time as this issue has been finally and effectively determined in such a way as to be binding on all parties concerned.

"The first obligation of the Blue Network is to the public. Holding a public franchise, we will make every effort to continue the operation of the network, without interruption, and thus maintain our essential public service. I know you will agree that this is particularly important in time of war, when radio is serving as a vital source of public information, both on the progress of the war and on the efforts necessary to enable us to win the war. The public interest and that of the parties accordingly require that the pending dispute be finally determined as promptly as possible and we sincerely hope that your Union and the American Federation of Musicians will cooperate with us to that end."

Following receipt of these letters NABET charged the networks with an unfair labor practice. Meantime the American Federation of Musicians sought to enlarge the scope of the hearing by filing a complaint with NLRB charging that NABET is a "company-dominated" union. The hearing in New York confined itself to the NABET complaint of an unfair labor practice and did not hear any testimony on the AFM complaint.

The report and recommendations of the trial examiner will be filed with the NLRB at Washington for final disposition. (NOTE: For background information on this subject see NAB REPORTS, Vol. XII, pages 392, 441, 463, and 477.)

New York Times Comments

The New York Times (February 1) carried the following interesting editorial:

Petrillo Is Power

James Caesar Petrillo not only dictates terms to the big broadcasting companies; he not only ignores the orders of the War Labor Board and the written pleas of the President; but he is able in effect to set aside also the decisions of the National Labor Relations Board. This is brought out in the testimony of the vice president of the National Broadcasting Company and of the president of the Blue Network Company, Inc., before a trial examiner of NLRB.

The case arose out of a complaint brought by the independent technicians' union, the National Association of Broadcast Engineers and Technicians. Members of this union, as part of the studio engineers' job, perform the chores of putting on and turning over records. This union was certified by NLRB last November as the bargaining agent for these jobs. But Mr. Petrillo, head of the American Federation of Musicians, refused to recognize the Board's decision. He told the broadcasting company officials, according to their testimony, that he would order musicians off the air unless the companies refused to renew their contract with the independent technicians' union and hired musicians as "platter turners" instead. And the broadcasting company officials felt that they had no choice except to do what Mr. Petrillo ordered.

If precedent is followed, this new revelation of Mr. Petrillo's private power to overrule not merely employers and rival unions but Federal agencies will lead to a great deal of indignation, in the halls of Congress and elsewhere, against Mr. Petrillo personally. Such personal indignation, as in the past, will be misplaced. The real question is not whether Mr. Petrillo abuses his power but whether the law should place so much irresponsible power in his hands. "Upon what meat doth this, our Caesar, feed that he is grown so great?" When Congress has answered that question, by examining the special privileges and sweeping legal immunities that it has itself granted to union officials in recent years, it will be ready to bring the Petrillos within bounds. And not until then.

ALLOCATION DEVELOPMENTS

Following the recent announcement of proposed allocations by the Federal Communications Commission in the spectrum range above 25 megacycles, Dr. W. R. G. Baker, Chairman of the Radio Technical Planning Board, called a meeting of the Board in New York City on January 24. The meeting of the Planning Board was well attended and there was considerable discussion on the position to be taken by RTPB in view of the proposed allocation.

The Board unanimously agreed to authorize the participation of all panel chairmen in the oral argument, and petitioned the FCC to postpone the date for the filing of briefs to February 21 and the oral argument to February 28. The FCC acted favorably on this request of RTPB on January 25 and the dates suggested by the Board were adopted. Dr. Baker has filed with the Commission notice of appearance for all panel chairmen. In connection with the announcement from RTPB, the following statement was made on behalf of the Board:

"The Panels of the Radio Technical Planning Board include engineering representation from all interests in the radio industry which can contribute to the discussions and solutions of the problems confronting each panel.

"These engineers are fully qualified and among the most experienced in their profession. It is natural, therefore, that they are among those who have been called upon to carry on the research and development necessary to the conduct of the war. Broadly, therefore, they had available to them the classified information necessary to the deliberations of the respective panels (even though they were not permitted to make direct reference to such information). It is the opinion of the Radio Technical Planning Board that due weight was given to all pertinent classified information in arriving at the conclusions and recommendations.

"Because the membership of the Panels was drawn from widely different interests, individual opinions in some instances, of necessity, differ from the broad conclusions reached. However, the weight of the panel's recommendations rests upon the fact that these conclusions are the result of broad experience and the wide representation of its panel membership, and have the support of large majority opinions."

The NAB committee of the Board of Directors on allocation problems is now considering participation in the oral argument by NAB. As of this date, February 1, no final conclusions have been reached. The committee consists of T. A. M. Craven, chairman; John E. Fetzer and Kolin Hager.

According to Howard S. Frazier, Chairman of Panel 4 on Standard Broadcasting, no decision has yet been made by that panel concerning participation in the oral argument. A subcommittee of the panel which studied broadcast relay pickup requirements is now reviewing the Commission's proposed allocations for this service. Comments on the allocation have been requested from all members of the panel.

15TH DISTRICT MEETS

San Francisco, January 26. William B. Smullin of KIEM was elected District Director at the closing session of the two-day NAB 15th District meeting here today at the Hotel Fairmont. Mr. Smullin's two-year term will begin at the close of the NAB 1945 Convention or, under the revised by-laws, at such time as the NAB Board of Directors shall determine.

Since the inception of the NAB Small Market Stations Committee nearly two years ago, Mr. Smullin has been one of its most active members and spoke at the NAB Executives War Conference in Chicago last August on "Small Market Stations as Training Grounds for the Broadcasting Industry." In addition, he has been an outstanding West Coast leader in the Army and Navy training programs for radio technicians.

Following the review of NAB activities and industry problems by J. Harold Ryan, NAB President, Robert Wesson of KGO, District Chairman of the Programs Managers Committee, presented the report of that group. He dwelled at some length on the importance of program-sales co-operation with the station manager sitting as arbiter where policies conflicted.

At luncheon on the opening day, Nat J. L. Pieper, special agent in charge of the San Francisco office of the Federal Bureau of Investigation, reported an alarming increase in juvenile delinquency and urged broadcasters to take a personal interest in a reduction of the juvenile crime record by aiding in the creation of greater respect for law and order.

The Small Market Stations Panel on the second morning was presided over by Mr. Smullin who outlined the revenue, program and technical problems which such stations face. His report of the activities of the Small Market Stations Committee was roundly applauded by the radio station executives present.

After outlining the activities of the Sales Managers Committee, of which he is District Chairman, Ray Baker of NBC introduced Lewis H. Avery and Helen Cornelius, who reported at length on the current developments in national and retail radio advertising respectively.

The morning session on the second day closed with a report on legal and labor problems by John Morgan Davis, NAB General Counsel.

The speaker at luncheon on the second day was Henry F. Grady, President of the San Francisco Chamber of Commerce and President of American President Lines (Steamship). After reporting on his service with the American mission to aid in the rehabilitation of Italian agriculture and industry, Mr. Grady urged that Americans co-operate with equal unselfishness in meeting the tremendous post-war problems with which American agriculture and industry will be faced.

In addition to the election of Mr. Smullin as District Director, the concluding session passed the following resolutions:

WHEREAS Lou Keplinger, Regional Director of the Domestic Branch of OWI, has performed and is performing an outstanding service to his own organization in its relationship with the broadcast industry in this district, therefore

BE IT RESOLVED that our thanks and congratulations be extended to him and that a copy of this resolution be forwarded to Elmer Davis, the head of OWI.

WHEREAS J. Harold Ryan left the Office of Radio Censorship and his own private business to become the president of NAB and in this wartime has brought the industry into a closer knit unit for the prosecution of the war and the meeting of industry problems, therefore

BE IT RESOLVED that it is with the greatest regret that we of this district learn that Mr. Ryan has requested that he not be considered again as candidate for office of NAB presidency, and

BE IT FURTHER RESOLVED that we extend to him our heartfelt thanks and the best of wishes for his future.

WHEREAS Arthur Westlund, the director for the 15th District of NAB, at personal sacrifice has conducted said office with the utmost fairness and integrity, therefore

BE IT RESOLVED that this meeting go on record as extending a unanimous vote of thanks and appreciation for his untiring efforts and for the sincere work he has done.

INDUSTRY SUPPORT TO 6TH WAR LOAN—$11,250,000

The broadcast industry, including its advertisers, backed the Sixth War Loan to the tune of $11,250,000. This sum represents the contributions of all segments of the industry.

It was determined by following methods specified by the War Advertising Council for calculating war effort support. The amount is a quarter million in excess of industry-wide support to the Fifth War Loan.

FCC ON TOUR

Five of the six members of the Federal Communications Commission left Washington Friday (26) for an extensive air tour of domestic military establishments. The object of the trip is to familiarize FCC with the developments which have resulted from the military use of radio and other electronic devices.

General Counsel Charles R. Denny and Chief Engineer George P. Adair and several members of the Inspection and Engineering Departments accompanied the Commissioners. Due to illness Commissioner Clifford J. Durr was unable to accompany the party.

NAVY AGAIN THANKS BROADCASTERS

The following communication from Captain G. W. Campbell, USN, Acting Director of the Office of Public Relations of the Navy Department, to Harold Ryan is a further recognition of the splendid job which radio is doing in behalf of the war effort:

> "Our Radio Section has advised me of the very extensive coverage given by the broadcasters of the nation to the two series of transcribed WAVES recruiting programs, 'Something for the Girls.'
>
> "I want you to know how much this Office appreciates all that the Radio Industry did, and all of the effort expended by the personnel of each station to make this outstanding coverage possible.
>
> "It is hoped you will find some suitable means of conveying our thanks to the industry."

"CRISIS IN WAR TOWN" IN PRODUCTION

"Crisis in War Town" is name of new series of transcribed quarter-hour radio dramatizations to be completed about April 1, by Community Chests and Councils, Inc.

More than 250 stations aired "War Town," the organization's 1944 production, according to Bent Taylor, public relations director.

The 1945 programs will dramatize personal and family crises which have occurred during the war and involved one or more of the social services supported by local community war chests.

"Crisis in War Town" will be directed and produced by Robert Lewis Shayon, CBS. Nick Keeseley, also of CBS, will supervise.

Recordings may be obtained from local community chests; where they do not exist from state offices.

PRELIMINARY FIGURES RELEASED

The Federal Communications Commission on January 31 released preliminary figures of revenue from the sale of station time for the year 1944. These figures were compiled from the preliminary Annual Financial Questionnaires submitted by stations and networks. The figures reported by the FCC are for the four major networks and 569 standard broadcast stations. These indicate that network time sale revenue in 1944 was 21.2% above 1943. Assuming that the stations represented constitute a proper sample it appears that National Advertising increased 25.9% over 1943 and Local Advertising 28.3% above 1943.

It will be some time before the final tabulations of the FCC will be published. The actual release of the FCC as of January 31, 1945, is as follows:

> Revenues from the sale of radio time (before deducting commissions to agencies) by the four major networks reached an alltime high of $126,330,491 for 1944 according to preliminary network reports, the Federal Communications Commission announced today.
>
> These figures indicate total major network time sales have more than doubled in the five-year period since 1939 when they topped $62 million and are up 21.2% over the 1943 total of $104,243,322—the previous all-time high.
>
> Final figures on network time sales will be released some time after April 1, 1945.
>
> At year-end 1944, the four major networks had a total

of 730 affiliated stations compared with only 661 as of December 31, 1943.

During the year, Mutual affiliated 33 additional stations, bringing its total to 244; Blue added 20 affiliates, making a total of 194; Columbia affiliated nine stations to total 143; and NBC picked up seven, making a total of 149. The number of stations shown as affiliated with each network includes stations that are on two or more networks.

Preliminary financial reports submitted by 569 standard broadcast stations show increased time sales for 1944 over 1943 of non-network time to national, regional and local users.

Total non-network time sales to national and regional users by these 569 standard broadcast stations amounted to $58,665,371 in 1944, an increase of 25.9 per cent over 1943 sales by the same stations.

Non-network time sales to local and other users by these stations totaled $61,990,623 or an increase of 28.3 per cent over 1943.

More comprehensive data on revenues and income of standard broadcast stations for 1944 will be released at a later time.

SENATE INVESTIGATION ON INTERNATIONAL COMMUNICATIONS AUTHORIZED

The Senate has passed S. Res. 24 which provides that the Committee on Interstate Commerce continue its investigation of international communications by wire and radio. The Senate Committee on Interstate Commerce recommended that the resolution be passed and after a favorable report from the Committee on Audit and Control, the Senate passed the resolution.

The resolution provided that $10,000 additional be expended by the committee on the investigation.

COFFEE BILL REINTRODUCED

Representative Coffee has introduced H. J. Res. 89 which provides for the broadcasting of the proceedings of the House and Senate. A similar bill was introduced in the last session of Congress.

The bill has been referred to the House Committee on Rules.

SPECIAL XXV BULLETIN NO. 3 WITH THIS ISSUE OF REPORTS

The third Special Twenty-fifth Anniversary Bulletin comes to you with this issue of NAB Reports.

Of particular interest is the thirty minute script produced by KGVO, Missoula, Montana, in which the station observed its own fourteenth and radio's Twenty-fifth Anniversary.

KVOO, Tulsa, has launched a year long series of quarter hour weekly shows called "Inside Radio."

"Music America Loves Best" (RCA Victor), NBC, 4:30 p. m., EWT, Sundays, broadcast the first of a number of scheduled commercials employing radio's Twenty-fifth Anniversary theme last Sunday, January 28. It was introduced by a special XXV musical arrangement.

XXV Musical Signature

Varied use of the BMI-recorded XXV Musical Signature is reported by stations. WFMJ explains how it is incorporated in the station sign-on and sign-off.

Send Material to NAB

We renew our request that you send evidence of everything you are doing in observance of either your own or radio's Anniversary to NAB. Send scripts, tear sheets of advertisements, direct mail pieces, clippings, photos, house organs and *letters describing local ideas and usage of NAB material.* Help us to help other stations and the industry as a whole. Thank you!

IDENTITY DISCLOSED!

Under pressure of repeated inquiries we lift the veil of secrecy, discard policy and succumb to columnist temptation in revealing that the "Charming receptionist at one of America's most popular stations," whose picture graces the pre-view of the new book, "Management in the Public Interest," is Mary McCoy, of WSM, Nashville, Tennessee. Superb photography of this most becoming subject is credited to C. Lester Barnard, WSM Publicity Director, whose work will appear elsewhere in the book, unidentified, typical of the contribution of all who labored on this volume.

Hurry Those Orders for Extra Copies!

Station managers last week received copies of the "preview" with order blanks entitling them to reserve unlimited copies at the first edition price of only $1.25. Further opportunity to order will be provided at District Meetings *but the printer can't wait until District Meetings are over* to lay in paper supplies and go to press with the book. We are ready now—the forms are about to be locked up and put on the press. Let us have your order for extra copies now!

An Unusual Opportunity!

One station manager, in placing his order for 700 copies of the book, said, "I look at it this way. For the price of a single promotion, maybe a banquet or two or a free talent show, which would cost me at least $1,000.00, I can place a permanent record of radio's good job in the public interest in the hands of every leading citizen and organization in my territory. We aren't doing much banqueting or celebrating during war time, so I can very well use that money for these books."

Estimate your needs and place your order today! Address Willard D. Egolf, Director of Public Relations, National Association of Broadcasters, 1760 N Street, N. W., Washington, D. C.

8 DISTRICTS PRODUCE 9 GLOBAL SHOWS

Receipt of nine more "Let's Go to Town" transcribed programs, produced by the industry for broadcast to armed forces overseas, is acknowledged by Armed Forces Radio Service; two other shows were en route to the coast, January 29. Here they are for the record:

DISTRICT I

New Bedford.............Hugh Norman, WNBH TFC*
Worcester.......................E. E. Hill, WTAG TFC*

DISTRICT II

Binghamton..............Cecil D. Masten, WNBF TFC*

DISTRICT IV

Wheeling..............George W. Smith, WRVA TFC*
(Shipped Jan. 29)

DISTRICT VIII

Saginaw...............Milt Greenebaum, WSAM TFC*
(Shipped Jan. 29)

DISTRICT X

Kansas City, Mo.........Roderick B. Cupp, KMBC TFC*

DISTRICT XIII

San Antonio...........Hugh A. L. Halff, WOAI TFC*

DISTRICT XIV

Butte.......................Ed. B. Craney, KGIR TFC*

DISTRICT XVI

San Diego..........Miss Leah McMahon, KFSD TFC*

ABELOFF GIVEN AWARD FOR DISTINGUISHED SERVICE TO RICHMOND

Richmond, Va.—Irvin G. Abeloff, Program Service Manager for WRVA, was the recipient of the Distinguished Service Award Key for outstanding contribution to the welfare of Richmond at an award dinner of the Richmond Junior Board of Trade, January 25. The key is presented annually to the Richmonder under 36 years of age who is judged to have contributed most to the city's welfare during the preceding year.

Mr. Abeloff was cited mainly for his work with War Bond Drives, Red Cross and similar campaigns. He wrote, directed and staged shows at the Mosque auditorium during the six War Loan Drives and was chosen by the United States Treasury Department as one of three radio men from the Eastern United States to confer with the department on future War Loan Drives.

The National Association of Broadcasters appointed Mr. Abeloff as Task Force Commander to supervise preparations of the Richmond "Let's Go to Town" program for broadcast to service men overseas.

In October of last year Mr. Abeloff was cited by Brigadier General George A. Horkan of Camp Lee, Virginia, for his work with the largest quartermaster installation in the United States. He holds an Award of Merit from the Navy Department for his work in recruiting Seabees.

Mr. Abeloff was also made a lifetime member of the Richmond Junior Board of Trade.

MRS. REES DAUGHERTY, WSRR, AWD NEW ENGLAND CHAIRMAN

(As released by NAB News Bureau)

Mrs. Rees Daugherty, Director of Women's Activities at WSRR, has been named Chairman of New England for the Association of Women Directors of the National Association of Broadcasters.

Mrs. Daugherty's appointment has come from Ruth Chilton of WCAU, Philadelphia, National President of the organization.

Mrs. Daugherty, a native of Savannah, Ga., attended Chatham Hall in Virginia and afterward traveled extensively in the United States and Europe. She lived for seven years in China, Japan, and the Philippines. In the latter country, she did outstanding work for the American Guardian Association and the Philippine Anti-Leprosy Society.

Her experiences abroad convinced her of the importance of having Americans understand the problems of other nationals, and when she returned to New York she organized and conducted panel discussions on international relations.

Mrs. Daugherty's home is in Darien, Connecticut, and she has been active in affairs of several women's organizations of the area. She was first introduced to WSRR listeners three years ago through the original program "Homespun Heroes," a broadcast that paid tribute to the achievements of residents of Southern Connecticut. She is popularly known as Ann Davenport, commentator for the C. O. Miller Company program.

DE WOLF ADDRESSES IRE

The Thirty-third Annual Banquet of the Institute of Radio Engineers was held at the Commodore Hotel, New York City, on Thursday evening, January 25, in connection with the IRE Winter Meeting. The banquet was attended by 1180 persons, believed to be a record high for this event.

H. B. Richmond, Chairman of the Board of the General Radio Company, was Toastmaster. Dr. William L. Everitt, IRE President for 1945, presented the annual awards of the Institute. Dr. O. H. Caldwell, Editor of *Electronic Industries*, accepted the Fellowship Awards on behalf of a group of sixteen who received this honor from the Institute. Professor H. M. Turner, retiring President, delivered the President's annual message to the Institute membership.

The guest speaker was Francis Colt de Wolf, Chief, Telecommunications Division, Department of State. Mr. de Wolf outlined briefly the history of the development of international control of radio communications. Mr. de Wolf then presented the future program of the State Department in regard to the international aspects of telecommunications. This portion of Mr. de Wolf's address was as follows:

"The State Department has invited other interested federal agencies, as well as private industry, to join with it in studying what should be the position of the United States at forthcoming international conferences. The first one of these, the Third Inter-American Radio Conference, will take place in Rio de Janeiro in June 1945.

"Thereafter, we anticipate a world conference to continue the work of the Berlin, London, Washington, Madrid and Cairo conferences. As I view it, the main purpose of these international conferences is to make the very best use possible of available radio frequencies. There is a constant race between science which endeavors to extend the usable portion of the radio spectrum and to make more economic use of existing frequencies, and the ever-increasing demands for frequencies by the users. Until the close of World War I the use of radio was confined almost exclusively to communications with ships. Nowadays the number of radio services and the different kinds of radio stations have tremendously increased: In 1939 there were in the United States 3,061 broadcasting stations including standard broadcast stations, television broadcast, international broadcast and facsimile. There were at the same time 62,433 non-broadcast stations in the United States alone, divided between such services as amateurs (53,558 stations), aviation (subdivided into four categories), agriculture, police (municipal, state, et cetera), experimental, fixed public (point to point telegraph), public coastal, relay press, geophysical and ship stations (3,736).

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* Task Force Commander.

"The recommendations of the Federal Communications Commission for post-war frequency allocation for radio services operating between 25 and 30,000 megacycles have opened up new vistas for radio, including frequency modulation, television, facsimile, 'Walkie-Talkie,' et cetera. The next international conferences will thus be confronted with the tremendous problem of devising an adequate control of radio so that it will be of maximum benefit to all the users.

"I think it is particularly true that in the field of radio communications, control is essential; without it we would have chaos. On the other hand, we must not lose sight of the fact that science and private initiative have been responsible for the tremendous development of the industry and that the controls have been created merely to bring the maximum utility out of the results of private research and endeavor.

"I participated in the 1938 Cairo conference and I can testify to the splendid spirit of cooperation between American industry and the United States Government. This close collaboration between the Government and industry in the telecommunication field has proved most beneficial to both and has established a pattern which might well be copied in other fields of endeavor.

"I feel confident, therefore, that with a continuation of this active cooperation, we will reach solutions which will prove acceptable to all the users of the radio spectrum, although they may not obtain 100 per cent of all their demands.

"For the past two years we have been working on plans of the post-war telecommunication world. Many of these, of course, are still in the blueprint stage. It is not possible for me at this time to go into detail as to what these plans consist of. I may say, however, that we have in mind a modernization of our existing international telecommunication bodies, bringing them more in line with the necessities of present day radio, particularly in the field of radio interference and radio regulation. In this field, as in other fields, we must determine whether we are prepared to surrender a certain modicum of sovereignty to insure a more efficient control of radio, for radio knows no national boundaries. This is particularly evident at international radio conferences where the different categories of users of the radio spectrum have a tendency to gravitate towards each other. English and American broadcasters, for example, band together against the British and American aeronautical radio services and the latter seek allies among the maritime services against the amateurs. Eventually, solutions are reached and meanwhile national frontiers have been well nigh forgotten.

"We also envisage the possibility of the formation of an inter-American telecommunication union which would accomplish for this hemisphere what has been done on a world basis by the International Telecommunication Union at Bern.

"The Federal Communications Commission, the Interdepartmental Radio Advisory Committee—IRAC to initiates—together with the State Department's inter-departmental post-war committees, will consider the new allocation plans to be submitted at the next international conference on behalf of the United States. Some time in the not too distant future we anticipate holding a conference with representatives of the British Commonwealth of Nations looking towards a more efficient and more economical means of communications between the English speaking people of the world.

"I do not believe that the American public has ever been so conscious in its history of the importance of communications and of the advisability of breaking down all barriers which prevent the easy, economical, and speedy flow of intelligence. Never before has there been a closer integration between Government and industry to bring this about.

"Thus radio points the way to a new world, in which Government and private enterprise, hand in hand, will work out solutions for the greater benefit of all mankind, where national boundaries will have as much or as little meaning as the boundaries between the several states of our Union and in which, by international cooperation, we will assure to the peoples of the world the free and untrammelled use of radio in all its varied applications.

"We have a fine record of endeavor behind us. I know we have a still finer record ahead of us."

FCC ANNOUNCES ALLOCATION PROCEDURE

1. On January 16, 1945, the Commission issued a supplemental statement interpreting its policy of January 26, 1944.

2. In order to carry out the policy, applications for new standard broadcast stations or for changes in facilities will be handled in the following manner:

(a) *Applications filed prior to January 26, 1945, upon which the Commission has taken no action.*—All applications in this category will be held in status quo unless:

(1) The applicant files a petition requesting the Commission to proceed with the processing of his application for a decision under the Supplemental Statement of Policy of January 16, 1945. Upon receipt of such petition the application will be processed and if the requirements of the supplemental statement of policy are met and the Commission finds that the granting of the application is in the public interest, a conditional grant will be issued. If the Commission's examination indicates that the requirements of the supplemental statement of policy have not been met the application will be designated for hearing and promptly heard on that single issue. If the hearing establishes inability to comply with the supplemental statement of policy, the application will be denied. Under Section 1.369, F.C.C. Rules, the effect of this would be to prohibit consideration of a similar application of the same applicant for facilities to serve the same area in whole or in part for a period of one year.

(2) The Commission on its own motion removes an application from the pending file and designates it for hearing for the purpose of determining issues which in the Commission's opinion would require a hearing even if no question as to availability of materials and manpower were presented. If after a hearing it appears that such applications could, except for the supplemental statement of policy, possibly be granted, they will be returned to the pending file. On the other hand, if it appears that the record made on the other issues requires a denial, such action will be taken.

(b) *Applications filed prior to January 26, 1945, which have been designated for hearing but no hearing has been held.*—All applications in this category will be retained in status quo and the hearing continued until further notice unless:

(1) The applicant petitions the Commission to proceed with the hearing in the light of the Supplemental Statement of Policy adopted January 16, 1945.

(2) The Commission on its own motion determines that the hearing should go forward for the purpose of determining issues other than those pertaining to the availability of manpower and materials.

After hearing, all such cases will be disposed of in the manner set forth in paragraph (a).

(c) *Applications filed prior to January 26, 1945, in which a hearing has begun but the record has not yet been completed.*—In cases in this category, the Commission will proceed with hearings for the purpose of completing the record. Upon completion of the record the case will be held in the pending file unless it appears that it can be granted under the terms of the supplemental statement of policy, or unless the applicant petitions for a determination on the merits in the light of this policy. Consolidated proceedings involving applications as to which hearings have begun and in addition applications as to which hearings have not yet begun will be treated under this category.

(d) *Applications filed prior to January 26, 1945, as to which hearings have been concluded.*—The Commission will announce decisions in cases which have been heard where:

(1) A grant is possible under the terms of the Supplemental Statement of Policy of January 16, 1945.

(2) A denial is necessary regardless of the availability of materials or manpower.

No action will be taken in cases where a grant would be possible except for the supplemental statement of policy.

(e) *Applications filed subsequent to January 26, 1945.* All such applications will be processed and determined in accordance with the supplemental statement of policy. If the application meets the conditions of this policy and is otherwise in the public interest, a conditional grant will be made. If the application does not meet the requirements of the supplemental policy, it will be designated for hearing and promptly heard on that single issue. If, as a result of such hearing, it is established that the requirements of this policy are not met the application will be denied. (See Section 1.369 FCC Rules)

3. When manpower and materials again become available and conditions permit the resumption of normal licensing practices, the Commission will make an appropriate announcement and will provide a period of not less than 60 days for the filing and processing of new applications prior to taking any action on the cases retained in the pending files during the period that the statement of policy of January 26, 1944, as supplemented January 16, 1945, was in effect. Provision also will be made for the bringing up to date of all applications retained in the pending files. These procedures, it is believed, will prevent any inequity from resulting to persons who do not file applications during the period that the present policy remains in force.

COLONEL COE RETURNS TO KSD

Lt. Col. Robert L. Coe, who served as deputy chief of staff of the Army's Troop Carrier Command, has retired from active duty to direct postwar engineering activities of KSD, the St. Louis Post-Dispatch station, where he was chief engineer before the war.

Colonel Coe began active duty with the Army Air Forces as a captain, several months before the United States entered the war. In 1942 he was ordered to Washington to help organize the Troop Carrier Command, and became its deputy chief of staff. This command, an essential part of the modern army, moves and supplies troops in the combat zone by air.

Following the organization of the Carrier Command, Colonel Coe was ordered on overseas duty. From January to October, 1944, he was in charge of point-to-point radio service for the Army Air Forces in the India-Burma Theatre, and then he was permitted to retire from active duty.

Colonel Coe joined the staff of KSD in 1924, two years after the station began broadcasting. He became chief engineer in 1933, and directed the technical aspects of the first facsimile experiments with a regular daily paper—a radio tabloid of the Post-Dispatch.

In his new position with KSD, Coe will have charge of the Pulitzer Publishing Co.'s engineering of services in television, frequency modulation and facsimile.

BRITISH TO DEVELOP COLOR TELEVISION

A large-scale television-in-color technical development planned for the film industry of the British Empire to be carried out over a period of ten years anticipates full development of the color film within the first four years, according to trade reports reaching the Department of Commerce.

The practical realization of commercial high-definition, large-screen television together with the means of providing and distributing television programs of special events will be reached in about six years, according to the plan.

Provision of large-screen television in color will be developed in the eighth year and a practical solution of stereoscopic projection is expected to be realized before the end of the ten-year program.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 5. They are subject to change.

Monday, February 5

Further Hearing

NEW—Calumet Broadcasting Corp., Hammond, Ind.—C. P., **1520 kc.**, 5 KW, daytime.

KROW—Educational Broadcasting Corp., Oakland, Calif.—Renewal of license, **960 kc.**, 1 KW, unlimited.

Wednesday, February 7

WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich.—Renewal of license, **1230 kc.**, 100 watt, night; 250 watts, day; unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

KTRI—The Tribune Co. (Transferor), Eugene H. Kelly, Eugene F. Kelly, John C. Kelly (Transferees); Sioux City Broadcasting Co., Sioux City, Iowa.—Granted consent to voluntary transfer of control of Sioux City Broadcasting Co., licensee of station KTRI, from The Tribune Company to Eugene H. Kelly, Eugene F. Kelly and John C. Kelly, for a consideration of $17,375 for 50 per cent of the outstanding capital stock of licensee. (B4-TC-421)

WMPS—Memphis Broadcasting Co., Memphis, Tenn.—Granted 30 days' time from January 26, within which to complete transfer of control of station WMPS, heretofore approved by the Commission.

Columbia Broadcasting System, Inc., and Mutual Broadcasting System—Granted permission to omit station identification during the one-hour broadcast of the President's Birthday Ball program on the night of January 30.

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—Granted petition requesting cancellation of hearing on application for renewal of license, now scheduled for February 5, and granted license on a regular basis.

Georgia School of Technology, Atlanta, Ga.—Granted construction permit for new developmental broadcast station on an experimental basis only; to operate on frequencies that may be assigned by the Commission's chief engineer from time to time; power 1 KW.

TELEVISION RENEWALS

The following applications for renewal of television broadcast station licenses were granted for the period ending February 1, 1946, subject to the condition that license is granted subject to changes in frequency assignment which may result from proceedings in Docket No. 6651:

WBKB, Balaban & Katz Corp., Chicago; WCBW, Columbia Broadcasting System, Inc., New York; WRGB, General Electric Co., Schenectady; WNBT, National Broadcasting Co., Inc., New York; W9XBK, Balaban & Katz Corp., Chicago; W9XBT, W9XPR, W9XBB, Balaban & Katz Corp., Chicago; W2XCB, Columbia Broadcasting System, Inc., New York; W2XGE, General Electric Co., Schenectady; W2XBT, W2XBU, National Broadcasting Co., Inc., New York; W9XZV, Zenith Radio Corp., Chicago; WABD, W10XKT, Allen B. DuMont Labs., Inc., New York; W2XVT, Allen B. Dumont Labs., Inc., Passaic, N. J.; W2XI, General Electric Co., Schenectady; W6XAO, W6XDU, Don Lee Broadcasting System, Los Angeles; WPTZ, W3XE, W3XP, W3XPA, Philco Radio & Television Corp., Philadelphia; W3XPC, W3XPR, Philco Radio & Television Corp., Philadelphia; W6XYZ, W6XLA, Television Productions, Inc., Los Angeles; W2XWV, Allen B. DuMont Labs., Inc., New York.

Licenses for the following television broadcast stations were extended upon a temporary basis only, pending determination upon application for renewal, for the period ending April 1, 1945, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651:

W3XAD, Radio Corp. of America, Camden, N. J.; W3XEP, Radio Corp. of America, Camden; W9XUI, State Univ. of Iowa, Iowa City, Iowa.

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending February 1, 1946:

KBTM, Jonesboro, Ark.; KFDA, Amarillo, Texas; KFIO, Spokane, Wash.; KMLB, Monroe, La.; WCAT, Rapid City, So. Dak.; WCOL, Columbus, Ohio; WCPO, Cincinnati, Ohio; WDLP, Panama City, Fla.; WENY, Elmira, N. Y.; WITH, Baltimore, Md.; WJRD, Tuscaloosa, Ala.; KAST, Astoria, Ore.; KFXD, Nampa, Idaho; KHAS, Hastings, Neb.; KSUN, Lowell, Ariz.; WBBZ, Ponca City, Okla.; WTHT, Hartford, Conn.; WMOB, Mobile, Ala.; KGEK, Sterling, Colo.; KOOS, Coos Bay, Ore.; KWG, Stockton, Calif.; KPHO, Phoenix, Ariz.; WBOC, Salisbury, Md.; WESX, Salem, Mass.; WHOP, Hopkinsville, Ky.; WLOG, Logan, W. Va.

The following stations were granted renewal of licenses for the period ending November 1, 1947:

KWK, St. Louis, Mo.; WFBL, Syracuse, N. Y.; WFCI, Pawtucket, R. I.; WHBC, Canton, Ohio; WHP and auxiliary, Harrisburg, Pa.; WSAR, Fall River, Mass.; WFEA and auxiliary, Manchester, N. H.; WHOM and auxiliary, Jersey City, N. J.; KPRO, Riverside, Calif.; KTYW, Yakima, Wash.

The following were granted renewal of licenses for the period ending February 1, 1948:

WKLA, Ludington, Mich.; WTBO, Cumberland, Md.; WMOH, Hamilton, Ohio.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon application for renewal, for the period ending April 1, 1945:

KADA, Ada, Okla.; KELO, Sioux Falls, So. Dak.; KFJB, Marshalltown, Iowa; KFMB, San Diego; KFUN, Las Vegas, N. Mex.; KGDE, Fergus Falls, Minn.; KHBC, Hilo, T. H.; KNOE, Monroe, La.; KPOW, Powell, Wyo.; KRLH, Midland, Texas; KVEC, San Luis Obispo, Calif.; KVNU, Logan, Utah; KWNO, Winona, Minn.; KYSM, Mankato, Minn.; WABI, Bangor, Maine; WAIM, Anderson, S. C.; WAJR, Morgantown, W. Va.; WAYX, Waycross, Ga.; WBLJ, Dalton, Ga.; WCLO, Janesville, Wisc.; WCBT, Roanoke Rapids, N. C.; WDSM, Superior, Wis.; WFTC, Kinston, N. C.; WHBY, Appleton, Wis.; WIBX, Utica, N. Y.; WISE, Asheville, N. C.: WJBC, Bloomington, Ill.; WKBO, Harrisburg, Pa.; WLOF, Orlando, Fla.; WOLS, Florence, S. C.; WRBL, Columbus, Ga.; WROX, Clarksdale, Miss.; WSKB, McComb, Miss.; WTOL, Toledo, Ohio.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending April 1, 1945:

KABR, Aberdeen, S. Dak.; KDAL, Duluth, Minn.; KELA, Centralia, Wash.; KGCU, Mandan, N. Dak; KGNC, Amarillo, Texas; KLO, Ogden, Utah; KLPM, Minot, N. Dak.; KQV, Pittsburgh, Pa.; KSWO, Lawton, Okla.; KTUL, Tulsa, Okla.; WCAX, Burlington, Vt.; WCLE, Cleveland; WDEL, Wilmington, Del.; WFIN, Findlay, Ohio; WIBG, Philadelphia; WJAS, Pittsburgh; WJDX, Jackson, Miss.; WILM, Wilmington, Del.; WIRE and auxiliary, Indianapolis; WMBD, Peoria, Ill.; WMPS, Memphis, Tenn.; WMRO, Aurora, Ill.; WNEW and auxiliary, New York; WOV and auxiliary, New York; WOWO, Fort Wayne; WPAT, Paterson, N. J.; WPEN and auxiliary, Philadelphia; WPRA, Mayaguez, P. R.; WTAQ, Green Bay, Wis.

The following stations were granted renewal of licenses for the regular period:

WGES, Chicago; WBHP, Huntsville, Ala.; WBOW, Terre Haute, Ind.; WJNO, West Palm Beach, Fla.; WLVA, Lynchburg, Va.; KRGV, Weslaco, Texas.

WAAF—Drovers Journal Pub. Co., Chicago, Ill.—Granted renewal of license for the period ending May 1, 1947.

KTSA—Sunshine Broadcasting Co., San Antonio, Tex.—Granted renewal of license for the period ending May 1, 1946.

WMT—American Broadcasting Stations, Inc., Cedar Rapids, Iowa.—Granted renewal of license for the period ending May 1, 1946.

WORK—York Broadcasting Co., York, Pa.—Granted renewal of license for the period ending November 1, 1945.

MISCELLANEOUS

WLIB—WLIB, Inc., Brooklyn, N. Y.—Granted petition to intervene in the hearing not yet scheduled on application of New Haven Broadcasters, New Haven, Conn., for a new station.

Midstate Radio Corp., Utica, N. Y.—Granted petition to intervene in the consolidated hearing now scheduled for Jan. 29 on application of Utica Broadcasting Co., Inc., and Ronald B. Woodyard for a new station in Utica.

KRBC—Reporter Broadcasting Co., Abilene, Texas—Granted in part motion for continuance of consolidated hearing now scheduled for February 1, and continued same to March 21, in re application of KRBC and San Jacinto Broadcasting Co., Houston, Texas, and Calcasieu Broadcasting Co., Lake Charles, La.

WTAW—Agr. & Mech. College of Texas, College Station, Texas—Denied petition for consolidation with petitioner's application, or in the alternative to intervene and enlarge issues in re applications of KRBC, KPLC and San Jacinto Broadcasting Co.

WGBF—Evansville On the Air, Inc., Evansville, Ind.—Granted petition for continuance to March 19 of hearing now scheduled for Feb. 5, in re application for renewal of license.

Mississippi Broadcasting Co., Macon, Miss.—Granted amended motion for leave to amend application for new station and removed said application from hearing docket.

WNLC—Thames Broadcasting Corp., New London, Conn.—Granted motion to dismiss without prejudice application for construction permit (Docket 6627).

Wilkes-Barre Broadcasting Corp., Wilkes-Barre, Pa.—Passed over petition to dismiss application (Docket 6135) without prejudice.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Passed over petition to amend hearing issues in re application of WBAX for license and applications of others for new station at Wilkes-Barre.

W2XWE—WOKO, Inc., Albany, N. Y.—Pending determination upon application for renewal, the Commission further extended upon a temporary basis only the license for facsimile broadcast station, for the period ending April 1, 1945.

Wilkes-Barre Broadcasting Corp., Wilkes-Barre, Pa.—Granted petition to dismiss without prejudice application for construction permit for a new station. (Docket 6135)

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition to amend the hearing issues in re applications of Central Broadcasting Co., Northeastern Penna. Broadcasters, Inc., and Key Broadcasters, Inc., all applicants for a new station in Wilkes-Barre, in the light of the Commission's Supplemental Statement of Policy of January 16, and the following was added to the hearing issues heretofore published in each of the above-entitled matters: "To determine whether the above-entitled applications for construction permits comply with the Commission's Supplemental Statement of Policy dated January 16, 1945, concerning applications for permits to construct new radio stations."

KMO—Carl E. Haymond, Yakima, Wash.—Granted construction permit to make changes in transmitting equipment.

KMO—Carl E. Haymond, Yakima, Wash.—Granted construction permit to make changes in auxiliary transmitting equipment.

WABI—Community Broadcasting Service, Bangor, Maine—Granted license to cover construction permit, which authorized change in frequency to **910 kc.**, increase in power to 1 kilowatt, installation of new transmitter and directional antenna for night use, subject to condition that licensee make application for a construction permit for an increase in power to 5 kilowatts when materials and personnel become available or when required by the Commission to do so. Also granted authority to determine operating power by direct measurement of antenna power.

KRNR—News-Review Company, Roseburg, Ore.—Granted license to cover construction permit which authorized move of transmitter and main studio. Also granted authority to determine operating power by direct measurement of antenna power.

WNYD—City of New York, Municipal Broadcasting System, Area of New York City.—Granted license to cover construction permit to reinstate construction permit (B1-PRY-270) for new relay broadcast station; frequencies **1622, 2058, 2150, 2790 kc.**; 40 watts. Portable and mobile, area of New York City.

The following applications for new commercial television broadcast stations were placed in the pending files in accordance with Commission's Policy of February 23, 1943:

World Publishing Co., Omaha, Neb.; Capitol Broadcasting Corp., Indianapolis, Ind.; WLIB, Inc., New York City; WDEL, Inc., Wilmington, Del.

The following applications for new high frequency (FM) broadcast stations were placed in the pending files in accordance with the Commission's policy of February 23, 1943:

Asbury Park Press, Inc., Asbury Park, N. J.; Allen T. Simmons, Akron, Ohio; Buffalo Broadcasting Corp., Buffalo, N. Y.; Pacific Agricultural Foundation, Ltd., San Francisco; WHP, Inc., Harrisburg, Penna.; News-Journal Corp., Daytona Beach, Fla.; Truth Publishing Co., Inc., Elkhart, Ind.; Herbert Herff, Memphis, Tenn.; Wisc. Radio, Inc., Milwaukee, Wisc.; News-Examiner Co., Connersville, Ind.; Central States Broadcasting Co., Omaha, Neb.

The following amended applications for new high frequency (FM) broadcast stations were retained in the pending files in accordance with Commission policy of February 23, 1943:

The Greenville News-Piedmont Co., Greenville, S. C.; Contra Costa Broadcasting Co., Richmond, Calif.; Nashville Radio Corp., Nashville, Tenn.; Summit Radio Corp., Akron, Ohio.

APPLICATIONS FILED AT FCC

590 Kilocycles

WGTM—Penn Thomas Watson, Wilson, N. C.—Construction permit to change frequency from **1340 kc.** to **590 kc.**, increase power from 250 watts to 5 KW, install new transmitter, directional antenna for day and night use and change transmitter location.

730 Kilocycles

WPIK—Potomac Broadcasting Corp., Alexandria, Va.—Modification of construction permit (B2-P-3615 for a new standard broadcast station) for approval of antenna and transmitter site.

890 Kilocycles

WHNC—Henderson Radio Corp., Henderson, N. C.—Modification of construction permit (B3-P-3641 which authorized a new standard broadcast station) for change in transmitter and studio locations.

960 Kilocycles

WELI—City Broadcasting Corp., New Haven, Conn.—Voluntary assignment of license to Connecticut Radio Foundation, Incorporated.

1230 Kilocycles

NEW—Birney Imes, Jr., Corinth, Miss.—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts and unlimited hours of operation.

1240 Kilocycles

NEW—George E. Miller, J. Myron Honigman and Lou Poller, d/b as Baron Broadcasting Co., Wilkes-Barre, Pa.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, 250 watts power and unlimited hours of operation.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Construction permit to increase power from 100 watts to 250 watts and change type of transmitter.

1280 Kilocycles

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Voluntary assignment of license to Curtis Radiocasting Corporation.

1340 Kilocycles

WMLT—George T. Morris, Wilmer D. Lanier and J. Newton Thompson, d/b as Dublin Broadcasting Co., Dublin, Ga.—License to cover construction permit (B3-P-3586) for a new standard broadcast station.

WMLT—George T. Morris, Wilmer D. Lanier and J. Newton Thompson, d/b as Dublin Broadcasting Co., Dublin, Ga.—Authority to determine operating power by direct measurement of antenna power.

WEMP—Glenn D. Roberts, Melva F. Roberts, Wellwood Nesbit, Robert M. LaFollette, Jr., Evalyn H. Dolph, Hope D. Pettey and Rachel Young LaFollette, copartners, d/b as Milwaukee Broadcasting Co., Milwaukee, Wis.—Voluntary assignment of license to Glenn D. Roberts, Melva F. Roberts, Wellwood Nesbit, Robert M. LaFollette, Jr., Evalyn H. Dolph, Hope D. Pettey, Rachel Young LaFollette, Genevieve S. Nesbit, John Ernest Roe and W. Wade Boardman, co-partners, d/b as Milwaukee Broadcasting Co.

1370 Kilocycles

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of Construction permit (B1-P-2924 as modified which authorized change in frequency, increase in power, installation of directional antenna for day and night use, new transmitter and move) for extension of completion date from 1-30-45 to 2-28-45.

1400 Kilocycles

NEW—Mississippi Broadcasting Co., Inc., Macon, Miss.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation. Amended: to change requested frequency to **1400 kc.**

KENO—Nevada Broadcasting Co., Las Vegas, Nevada—Voluntary assignment of licenses to Maxwell Kelch and Laura Belle Kelch, d/b as Nevada Broadcasting Company.

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Authority to determine operating power by direct measurement of antenna power.

1600 Kilocycles

NEW—Charlotte Broadcasting Co., Charlotte, N. C.—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 1 KW, unlimited hours of operation, using directional antenna day and night.

FM APPLICATIONS

NEW—Miami Valley Broadcasting Corp., Dayton, Ohio—Construction permit for a new developmental broadcast station to be operated on **46900 kc.**, power of 1 KW and special emission for FM.

NEW—The Wm. H. Block Company, Indianapolis, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43700 kc.** with coverage of 9,316 square miles.

NEW—Commodore Broadcasting, Inc., Peoria, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48100 kc.** with coverage of 14,130 square miles.

NEW—Board of Education, Sewanhaka High School, Floral Park, N. Y.—Construction permit for a new non-commercial educational broadcast station to be operated with power of 250 watts and special emission for FM.

MISCELLANEOUS APPLICATIONS

W9XEV—Evansville on the Air, Inc., Glenwood, Ind.—Voluntary assignment of construction permit to Curtis Radiocasting Corporation.

WEQG-WAUY—Evansville on the Air, Inc., area of Evansville, Ind.—Voluntary assignment of licenses to Curtis Radiocasting Corporation.

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky and Bailey, Washington, D. C.—Construction permit to move transmitter.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Charles P. Halfhill, et al.—A complaint alleging violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of canned food products has been issued against Charles P. Halfhill, Theodore A. Halfhill, Harry J. Halfhill and Harry J. Halfhill, Jr., trading as The Halfhill Co. and as Ocean Food Products Co., 714 West Olympic Blvd., Los Angeles. (5267)

Panther Oil & Grease Manufacturing Company and Southwestern Petroleum Company, Inc., both of Fort Worth, Texas, engaged in the sale of lubricants for tractors, trucks, automobiles and other machinery, are charged in a complaint with misrepresenting the character of their business operations and the grade and quality of their products. (5266)

Walsh Refractories Corp.—Misrepresentation of the quality and composition of fire brick products is alleged in a complaint issued against Walsh Refractories Corp., 4070 North First St., St. Louis. (5269)

Warwick Manufacturing Corp., 1700 West Washington St., Chicago, engaged in manufacturing and assembling radio receiving sets, is charged in a complaint issued with having made misrepresentations concerning the tube capacity, the television equipment and the prices of certain sets which it sold in interstate commerce. (5268)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Gibson-Thomsen Co., Inc., 10 East 39th Street, New York, engaged in the sale of tooth brushes and hair brushes, has entered into a stipulation to cease and desist from representing that brushes containing used and secondhand bristles are composed of new materials, by failure to stamp on the exposed surface of the handles, in conspicuous and legible terms which cannot be removed without mutilating the handles, a statement that the bristles are "secondhand" or "used." (3965)

Peabody Co. and Mendenhall Manufacturing Co., West Beach, Biloxi, Miss., entered into a stipulation to discontinue certain representations in connection with the mail-order sale of women's rejected hosiery, some of which he advertised as "America's finest." According to the stipulation, the hosiery consisted largely of odds and ends of miscellaneous stock, often was not matched as to pairs, and in many cases was so defective as not to be capable of mending. (3966)

Stone-Tarlow Co., Inc., Brockton, Mass., entered into a stipulation to cease and desist from representing that shoes it sells under the trade name "Elevators," or any other shoes of substantially the same construction, will improve posture, cause the wearer to feel better physically, or otherwise promote or benefit the physical well-being or health of the wearers. (3966)

St. Paul Medicine Co.—A stipulation to discontinue misrepresenting the therapeutic properties of a medicinal preparation designated "St. Paul's V.V.V." has been entered into by Paul C. Deutch, Joseph H. Deutch and S. L. Deutch, co-partners, trading as St. Paul Medicine Co., Detroit. (03426)

M. E. Tracy Co., 304 Mulberry St., Memphis, Tenn., trading as The Everett Co., stipulated that it will cease representing that the medicinal preparation which it sells under the name "Tra-Ton Tablets" is effective in the treatment of extreme tiredness, lack of normal energy, nervousness, headache, dizziness, digestive disturbances, or any nutritional deficiency. (03247)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

B-1 Beverage Co., 4000 Lindell Blvd., St. Louis, engaged in the manufacture and sale to bottling plants of materials used in making B-1 beverages, stipulated that it will discontinue certain representations concerning the beverages and the therapeutic properties of their Vitamin B-1 content. The beverages are sold to the public in the form of a lemon-lime soft drink and lemon-lime soda water. (5230)

En-Ex Co. and The En-Ex Distributing Co., Society for Savings Bldg., Cleveland, Ohio, have been ordered to cease and desist from disseminating false advertisements concerning En-Ex, a preparation advertised by the respondent as a cure or remedy for psoriasis and certain other conditions of the skin and scalp. (4766)

Ox'O-Gas Co., Palisades Park, N. J., has been ordered to cease and desist from misrepresenting the properties and efficiency of a gasoline additive he sells under the name "Ox'O." He also sells gasoline treated with the additive. (5040)

FTC CASE DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Oskamp Nolting Company, Cincinnati, with certain misrepresentations in connection with the sale of jewelry, silverware, luggage and giftware.

The complaint was dismissed because the respondent company has expressed its intention, in writing, to be bound by the Trade Practice Conference Rules promulgated by the Commission for the catalog jewelry and giftware industry and has furnished satisfactory evidence of such intention in the form of its latest catalog.

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 6, February 9, 1945

PETRILLO BANS INTERLOCHEN

James C. Petrillo, President of the American Federation of Musicians, has put the National Music Camp at Interlochen, Michigan, on the union's "unfair" list, according to a charge made by Dr. Joseph E. Maddy, Camp Director. Dr. Maddy, Professor of Music at the University of Michigan, said that the camp expected to fight the union's action in the courts and that the school expects to continue next summer even if it is necessary to employ non-union instructors.

Disclosure of the union's action in listing the camp as unfair was made in New York on Tuesday, February 6. The effect of the union's action would be to prevent many teachers, should they continue in the school's employ, from accepting commercial engagements which ordinarily constitute their major source of income.

Radio stations would be prevented from carrying any Interlochen concert on penalty of the loss of musicians on all of their programs. It will be recalled that Dr. Maddy appeared before the subcommittee of the Interstate Commerce Committee of the Senate in connection with a hearing on the measure introduced by Senator Arthur Vandenberg to bar interference with sustaining and educational programs. (See NAB REPORTS, Vol. 12, page 89.) Dr. Maddy stated that he felt that the union's action was a measure of reprisal against him for exercising his rights of free speech.

When informed of Petrillo's action in declaring the Camp unfair, Senator Arthur Vandenberg of Michigan said, "I know nothing about the details of this latest episode in Mr. Petrillo's battle with the school children of America. I do know, however, that the United States Senate with the approval of the Federal Communications Commission has twice unanimously said that freedom of the air shall not be foreclosed to non-commercial cultural programs from accredited educational institutions. If the House of Representatives agrees, I shall expect to see that law enforced."

Senator Vandenberg referred to the recent action of the Senate in again passing by unanimous vote, the bill which he introduced to make it unlawful for any person or persons to interfere with sustaining or educational programs such as the Interlochen concerts. That bill is now before the House.

Commenting editorially on Petrillo's action, the New York *Times* of February 8 carried the following:

Mr. Petrillo vs. Congress

It is just as well that Mr. Petrillo placed the National Music Camp on the "unfair list" before the House had a chance to act on the Vandenberg bill passed unanimously last Friday by the Senate. For his action should make clear to the House in advance how pointless it is to try to curb Mr. Petrillo on so narrow a front.

It cannot be repeated too often that the head of the American Federation of Musicians is merely a symptom. Personal indignation against him is as misplaced as it is futile. Mr. Petrillo simply recognizes to the full the opportunities that the present state of the law gives him. Congress will never do anything effective to curb Mr. Petrillo until it sees him as a symptom of a larger situation rather than as merely an obstreperous individual. It will never do anything effective against Mr. Petrillo's policies until it has the courage and clarity of view to deal with the whole situation of which his personal dictatorship is merely a part.

The Vandenberg bill challenges Mr. Petrillo on a very narrow issue. It makes it "unlawful" for any person or group to interfere with any "noncommercial education or cultural program presented by any academically accredited and tax-exempt educational institution." Thus it is specifically designed to prevent Mr. Petrillo from ordering radio stations not to carry the programs of the National Music Camp at Interlochen, Mich.

The Vandenberg bill, however, does not specify any penalties for violation; and Mr. Petrillo apparently thinks he can nullify it, if it becomes law, by placing the camp itself on the "unfair list." Thus if Dr. Joseph E. Maddy, Professor of Music at the University of Michigan, who is head of the camp, or other members of the faculty should attempt to work at the camp's school, they face immediate union suspension, which would prevent them from accepting commercial employment of any sort.

This action points to the two-edged power of Mr. Petrillo. He cannot only ruin any radio station that disobeys any of his commands, by ordering his musicians not to work for it; he can also ruin any individual musician by suspending him from membership and making it impossible for him to earn a living at his profession. Thus Mr. Petrillo's power rests not merely on his ability to coerce the employer but on his ability to force virtually every musician into his union and to coerce every musician. As long as existing law permits and encourages Mr. Petrillo and other labor leaders to coerce the individual worker, the essence of their irresponsible private power will remain. Even if it is curbed in one minor manifestation it will continue to operate in a hundred other directions. What is required to curb the Petrillos is not a bill dealing with one minor abuse but a re-examination of the whole existing body of Federal labor law.

The Louisville *Courier Journal* carries the following editorial:

The Weighty Foot of Mr. Petrillo

For a second time within less than two months the Senate has passed without a single dissent Senator Vandenberg's bill, designed, as the Senator has put it, to take the foot of James C. Petrillo off the necks of the school children of the country. The previous passage was in mid-December. too late in the old Congress to permit action by the House. It is to be expected that the House now, with time to act, will concur with the Senate in a very healthy piece of legislation.

The measure forbids any sort of interference with radio broadcasts of non-commercial educational or cultural programs by educational institutions. It is in response to the theory of Mr. Petrillo, as head of the musicians' union, that unpaid musicians, including school children, take bread out of the mouths of professional musicians and should, therefore, be barred from the radio. The latter

(Continued on page 50)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N.W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations;* Lewis H. Avery, *Director of Broadcast Advertising;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Arthur C. Stringer, *Director of Promotion;* John Morgan Davis, *General Counsel.*

PETRILLO BANS INTERLOCHEN

(Continued from page 49)

half of this fantastic theory he has until now succeeded in enforcing through the power of his union over the radio industry. That his power existed to this fabulous extent was first called widely to public attention in the summer of 1942 when Mr. Petrillo forbade the National Broadcasting Company to broadcast a program by boy and girl musicians from the National Music Camp at Interlochen in Mr. Vandenberg's state of Michigan.

So the Vandenberg bill is a good bill, but, of course, when the case of Mr. Petrillo is considered whole, it would be the grossest exaggeration to call it a half-measure. When the bill was being discussed last fall, *The New York Times* made an accurate observation on Mr. Vandenberg's description of it. Yes, *The Times* granted, it is a bill to take Mr. Petrillo's foot off the necks of the school children of the country, "while it permits him to keep his foot on the necks of the broadcasting and recording companies and of the professional musicians of the country." This is in justified reference to the whole system of arbitrarily enforced fictions and financial levies, upon musicians and employers alike, with which Mr. Petrillo operates his monopoly.

And, it could be added to what *The Times* said, neither does the bill interfere with Mr. Petrillo keeping his foot on the neck of the government of the country. Mr. Petrillo has twice successfully defied the War Labor Board, in a dispute involving the recording companies and in another involving a Minneapolis radio station, KSTP. He has, so far successfully, defied the National Labor Relations Board on the issue of whether the workers who put on and turn off records—the "platter turners"— in radio studios should be members of the independent technicians' union which the N.L.R.B. has certified as bargaining agent for such jobs, or of the musicians' union.

It is plain that the Vandenberg bill, wholesome as it is, is minutia, hardly scratching the surface of the real evil. But it is the more welcome if it is a start toward dealing sensibly, and with due concern for the principle of collective bargaining, not with the musicians' autocracy alone but with the entire subject of labor union monopoly, of which Mr. Petrillo happens to be a conspicuous but not a unique symbol.

SENATE ACTS FOR INTERLOCHEN

The Senate, without any discussion, has passed S. 63, the Vandenberg bill dealing with the Petrillo situation, which passed the Senate at the last session. The proposal now goes to the House for action. The bill prohibits interference with any non-commercial education or cultural program presented by any academically accredited and tax-exempt educational institution.

A companion bill, H. R. 1648, has been introduced by Representative Dondero (Michigan) which has been referred to the Committee on Interstate and Foreign Commerce.

BUSY TIMES AHEAD

Committee, Board and District meetings will keep NAB President Ryan and the staff quite busy during the next few weeks. The following meetings have been scheduled:

Tuesday-Wednesday, February 20-21, Public Relations Executive Committee.
Thursday-Friday, February 22-23, Code Committee.
Tuesday-Wednesday, February 27-28, NAB Board of Directors.
Thursday-Friday, March 1-2, Research Committee.
All of these meetings will be held in Washington.

A revised schedule for the second series of district meetings also has been prepared and steps have been taken to make sure all of these meetings conform strictly with the Government's ban on meetings of more than 50. Following is the tentative district meeting schedule as revised. Not all of these meetings have as yet been confirmed but should any change take place proper announcement will be made.

District	*Place*	*Days*	*Date*	*Hotel*
1	Boston, Mass.	Mon.-Tue.	March 5-6	Statler
2	New York, N.Y.	Thu.-Fri.	March 8-9	Roosevelt
4 (D.C.-Va.-W.Va.)	Washington, D.C.	Mon.-Tue.	March 12-13	Statler
4 (N.C.-S.C.)	Charlotte, N.C.	Thu.-Fri.	March 15-16	
5 (Ga.-Ala.)	Atlanta, Ga.	Mon.-Tue.	March 19-20	
5 (Fla.-P.R.)	Jacksonville, Fla.	Thu.-Fri.	March 22-23	Mayflower
7	Cincinnati, O.	Mon.-Tue.	March 26-27	Gibson
9	Chicago, Ill.	Thu.-Fri.	March 29-30	Palmer House
8	Detroit, Mich.	Mon.-Tue.	April 2-3	

17TH DISTRICT MEETING

A representative group of Oregon and Washington broadcasters met in Portland on Monday and Tuesday, January 29 and 30. NAB President J. Harold Ryan, NAB Broadcast Advertising Director Lewis Avery and assistant Helen Cornelius and John Morgan Davis, NAB General Counsel, represented national headquarters. BMB President Hugh Feltis was also present.

A resolutions committee, headed by C. O. Chatterton, KWLK, Longview, unanimously recommended the support by all stations in the district of BMB. Wallace Brazeal, KFPY, Spokane, spoke on public relations and Homer Welch, KEX, Portland, stressed the importance of proper programming. Steve Conley made his first appearance at a western meeting, having assumed the management of KEX on the first of the year. He was warmly greeted.

C. W. Chuck Myers and his KOIN associates were hosts at a fine dinner and evening entertainment. Guests included Oregon's Governor Earl Snell and Mayor Earl Riley of Portland, as well as other civic notables.

Leonard Callahan, West Coast Chief of the War Department Bureau of Public Relations, spoke upon the assistance which radio broadcasters may give in relocating returning veterans. His talk was well received.

Clare Hays, KOIN Women's Director, conducted a panel on the dissemination of war information. She was ably assisted by Marian Sabatini of the national OWI office.

Tuesday's luncheon found KGW of Portland in the role of hosts. General Manager Arden X. Pangborn and the Oregonian publisher, E. P. Hoyt, presided over the affair.

The sales managers session was chairmaned by Chet Wheeler, KWIL, Albany, District Sales Managers Chairman and was highlighted with talks by Lew Avery and Helen Cornelius. Frank Loggan, KBND, Bend, made a report for the Small Market Stations Committee and was ably seconded by Marshall Pengra, who is a member of the national committee. J. D. Kolesar, KMO, Tacoma, conducted the engineering session.

The Portland Chamber of Commerce was host at a party in honor of the broadcasters following the adjournment of the meeting.

Harry Spence, KXRO, Aberdeen, was unanimously reelected as District Director for the ensuing two-year term.

14TH DISTRICT MEETING

On Thursday and Friday, February 1 and 2, 14th District broadcasters gathered at the Hotel Utah, Salt Lake City. The meeting was opened by District Director Hugh Terry, KLZ, Denver. National headquarters was represented at the meeting by President Ryan, Lewis Avery, Helen Cornelius and John Morgan Davis. Hugh M. Feltis, BMB President, also participated.

At the Thursday luncheon Dr. Adam S. Bennion, Assistant to the President of the Utah Power and Light Company, spoke upon the relation of broadcasters to future world peace. He made a stirring plea that broadcasters safeguard the freedom of the air and overcome the difficulties incident to world broadcasting and take steps to build better understanding between the peoples of this country and other nations, particularly Russia.

"The glory that was Rome's, Persia's, and Greece's was lost because their peoples failed to fight for the freedoms they enjoyed," said Dr. Bennion.

"Radio, with the press, the schools and the churches, are the four agencies upon which rest the responsibility of shaping the course of tomorrow's world. Radio's challenge is to develop greater public discussion of current political and economical issues. Radio has proved itself in a field of advertising and entertainment. It must now prove itself worthy of its trusteeship of freedom of speech. It must not permit the muzzling of anyone but must encourage and make possible discussion on both sides of every question."

S. S. Fox of KDYL staged a television demonstration following the meeting. KDYL has the only television station between the Mississippi River and the Pacific Coast.

NEWS COMMITTEE MAKES 6 RECOMMENDATIONS TO COUNCIL

At its Chicago meeting on January 24, the NAB News Committee prepared a memorandum of 6 recommendations which were transmitted next day to the Council on Radio Journalism.

The recommendations are now being considered by the council's Mitchell V. Charnley committee on standards. Mr. Charnley is Professor of Journalism, University of Minnesota.

The NAB News Committee recommendations, according to Karl Koerper, chairman, are:

1. To avoid sacrificing academic requirements for a Bachelor's degree to accommodate specialized training in radio journalism.
2. To provide and require practical experience as a part of the curriculum for radio journalism.
3. To insist upon proper instruction in "microphone technique" and not to accept public speaking courses as now offered, in lieu thereof.
4. To project entire training program on the premise of adequately preparing students immediately to assume responsibilities particularly in smaller stations.
5. To incorporate in the curriculum sufficient training so that students are capable not only of writing and editing radio news, but of broadcasting it as well.
6. To provide sufficient background training covering the entire radio station operation so that graduates will have a comprehension of all those elements which enter into a broadcast, particularly those broadcasts falling within the "Special Events" classification.

FCC AMENDS RULE

The FCC on Thursday (8) amended Section 1.5 (b) of its rules of Practice and Procedure regarding inspection of records so as to include in the files of the Commission open to inspection all communications protesting or endorsing applications and amendments thereto, filed under Title 2 and Title 3 of the Act, including all documents and exhibits filed with and made a part thereof.

Section 1.5 as amended reads:

"Inspection of records—subject to the provisions of 4(j), 412 and 606 of the Act, the files of the Commission shall be open to inspection as follows:

"(a) Tariff schedules required to be filed under Section 203 of the Act and annual and monthly reports required to be filed under Section 219 of the Act.

"(b) All applications and amendments thereto filed under Title 2 and Title 3 of the Act, including all documents and exhibits filed with and made a part thereof *and all communications protesting or endorsing any such application;* authorizations and certifications issued upon such applications; all pleadings, depositions, exhibits, transcripts of testimony, examiners' reports, exceptions, briefs, proposed reports or findings of fact and conclusions, minutes, and orders of the Commission.

"(c) Other files in the discretion of the Commission upon written request describing in detail the documents to be inspected and the reasons therefor.

(New part in *italics.*)

HOUSE COMMITTEE BOOSTS FCC "REGULAR" AND CUTS DEFENSE FUNDS

The House Committee on Appropriations in the Independent Offices Appropriation bill for 1946, recommends an appropriation of $5,005,400 for the Federal Communications Commission. In its report on the Commission's appropriation, the Appropriations Commission says:

For this activity the committee recommends a total of $5,005,400, which is a reduction of $201,600 under the Budget estimate and $495,072 less than the current appropriation, with overtime compensation excluded from the comparison. A net reduction of $1,225,914 in the current appropriation for national defense is largely offset by a proposed increase in the estimates of $928,142 for regular activities. The committee has allowed an increase of $726,542 in the regular appropriation to meet the upsurge of work which is anticipated during the next fiscal year, the increase to be used primarily in the regulatory and licensing field. Testimony presented to the committee was to the effect that a tremendous increase in standard and FM broadcast applications is anticipated; that applications for new television stations are increasing; and that facsimile broadcasting, international broadcasting, and experimental and relay broadcasting are subjects which will require immediate consideration at the conclusion of the war. The proposed increase in funds for "regular activities" will enable the Commission to utilize a considerable portion of the trained personnel no longer required under the national defense appropriation.

18 MORE SHOWS WITH OVERSEAS CHEER

NOTICE TO TASK FORCE COMMANDERS WITH UNFINISHED ASSIGNMENTS

Armed Forces Radio Service requests that label copy on "Let's Go to Town" records include call letters of all cooperating stations with city and state address of each. Labels should appear on originals and dubs.

Please notify NAB when you ship to Los Angeles. We follow through to check on actual delivery.

Seven (7) completed "Let's Go to Town" programs from District No. 9, two each from Districts 6 and 17, one each from Districts 2, 3, 4, 5, 7, 10 and 11, eighteen in all, were made available for world-wide broadcast to overseas soldiers and sailors this week.

District Sets Record

By turning in one show for seven consecutive days, No. 9 bailiwick, headed by Director Les Johnson, WHBF, Rock Island, set a production record in the "Let's Go to Town" sweepstakes. It took four Illinois cities—Quincy, Danville, Chicago and Champaign, and Sheboygan, Wis., to turn the trick.

The Chicago committee consists of William E. Hutchinson, WAAF, Chairman, and four Task Force Commanders: Fred Killian, WBBM; Gene Rouse, WENR; Fran Coughlin, WGN; and Jules Herbuveaux, WMAQ. It accounted for three of the shows as indicated below. WGN's "Let's Go to Town" program is scheduled for completion around February 15. Here's the score for this week:

DISTRICT II

Jamestown	A. E. Spokes, WJTN, TFC*

DISTRICT III

Pittsburgh	Frank R. Smith, Jr., WWSW, TFC*

DISTRICT IV

Greenville	B. T. Whitmire, WFBC, TFC*

DISTRICT V

Savannah	W. T. Knight, Jr., WTOC, TFC*

DISTRICT VI

Memphis	Roy Wooten, WREC, TFC*
New Orleans	W. H. Summerville, WWL, TFC*

DISTRICT VII

Louisville	Lee Coulson, WHAS, TFC*

DISTRICT IX

Champaign	Frank Mills, WDWS, TFC*
Chicago	Fred Killian, WBBM, TFC*
Chicago	Gene Rouse, WENR, TFC*
Chicago	Jules Herbuveaux, WMAQ, TFC*
Danville	E. C. Hewes, WDAN, TFC*
Quincy	C. Arthur Fifer, WTAD, TFC*
Sheboygan	H. H. Born, WHBL, TFC*

DISTRICT X

North Platte	John Alexander, KODY, TFC*

DISTRICT XI

Duluth-Superior	Walter C. Bridges, WEBC, TFC*

DISTRICT XVII

Portland	Homer Welch, KGW, TFC*
Spokane	Harvey Wixson, KHQ, TFC*

BRUCE STARKEY CHIEF OF NAB NEWS BUREAU

To meet the growing need for coverage of events during radio's Twenty-fifth Anniversary year, the NAB News Bureau has been re-staffed with Harlan "Bruce" Starkey as Chief. The Bureau will also provide general information, historical data, educational and promotion material.

Starting his career as a reporter for the Miami papers, *Herald* and *Tribune*, in 1925, Starkey became active in real estate advertising and promotion during the Florida boom.

A native of West Virginia, he later returned to Moundsville as Advertising and Business Manager of the Echo Publishing Company, publishers of a daily, a weekly and a farm paper, where he maintained a part time affiliation with the R. M. Ludwig Advertising Agency, of Wheeling.

This was followed by two years in the advertising and editorial departments of the Wheeling morning and Sunday *Register*.

Starkey's debut in radio was with WCHS, Charleston, W. Va., in 1932, where, as Commercial Manager, his duties embraced most of the operational aspects of radio.

For the past ten years he has been active as a free lance writer and Publicity Counsel in Chicago.

Starkey fills the job left vacant when Walt Dennis resigned in October, 1943.

AVERY AT DES MOINES

Lewis H. Avery, NAB Director of Broadcast Advertising, was the guest speaker at the regular meeting of the Advertising Club of Des Moines on Tuesday, February 6. His topic was "The Force of Radio."

NEW INTERSTATE AND FOREIGN COMMERCE COMMITTEE

The House Committee on Interstate and Foreign Commerce, to which all communications legislation is referred, has been approved by the House as follows:

Democrats	*Republicans*
Clarence F. Lea, Calif., *Chairman*	Charles A. Wolvertin, N. J.
Robert Crosser, Ohio	Pehr G. Holmes, Mass.
Alfred L. Bulwinkle, N. C.	B. Carroll Reece, Tenn.
Virgil Chapman, Ky.	Charles A. Halleck, Ind.
Lyle H. Boren, Okla.	Carl Hinshaw, Calif.
Lindley Beckworth, Texas	Clarence J. Brown, Ohio
J. Percy Priest, Tenn.	Evan Howell, Ill.
Oren Harris, Ark.	Leonard W. Hall, N. Y.
George G. Sadowski, Mich.	Thomas D. Winter, Kans.
Richard F. Harless, Ariz.	Joseph P. O'Hara, Minn.
John W. Murphy, Pa.	Wilson D. Gillette, Pa.
Edward A. Kelly, Ill.	
Luther Patrick, Ala.	
John B. Sullivan, Mo.	
Dwight L. Rogers, Fla.	
Benjamin J. Rabin, N. Y.	
Vita Marcantonio, N. Y.	

NEW SENATE INTERSTATE COMMERCE COMMITTEE

Due to the resignation of Senator Harry S. Truman and the replacement of Senator Wallgren of Washington by Senator Mitchell from that State, the Committee is now fully organized as follows:

Democrats	*Republicans*
Burton K. Wheeler, Mont., *Chairman*	Wallace H. White, Jr., Me.
Alben W. Barkley, Ky.	Warren R. Austin, Vt.
Edwin C. Johnson, Colo.	Henrik Shipstead, Minn.
Tom Stewart, Tenn.	Charles W. Tobey, N. H.
James M. Tunnell, Dela.	Clyde M. Reed, Kans.
Ernest W. McFarland, Ariz.	Chan Gurney, S. D.
Clyde R. Hoey, N. C.	Albert W. Hawkes, N. J.
Olin D. Johnston, S. C.	E. H. Moore, Okla.
Brien McMahon, Conn.	Homer E. Capehart, Ind.
Francis J. Myers, Pa.	
Hugh B. Mitchell, Wash.	
Frank T. Briggs, Mo.	

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* Task Force Commander.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 12. They are subject to change.

Friday, February 16

Further Consolidated Hearing

NEW—Central Broadcasting Co., Wilkes-Barre, Pa.—C. P., **1240 kc.,** 250 watts, unlimited.

NEW—Northeastern Pennsylvania Broadcasters, Inc., Wilkes-Barre, Pa.—C. P., **1240 kc.,** 250 watts, unlimited.

NEW—Key Broadcasters, Inc., Wilkes-Barre, Pa.—C. P., **1240 kc.,** 250 watts, unlimited.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—For license, **1240 kc.,** 100 watts, unlimited.

Thursday, February 15

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license, **590 kc.,** 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license, **1510 kc.,** 10 KW, unlimited, DA-night.

Federal Communications Commission Action

The meeting of the Commission was held after the Bulletin went to press. Action will be contained in next week's Bulletin.

MISCELLANEOUS

Utica Broadcasting Co., Inc., Utica, N. Y.—Granted petition for leave to amend application for construction permit to substitute names in applicant corporation.

WLEU—WLEU Broadcasting Corp., Erie, Pa.—Denied petition to intervene and enlarge the issues in the hearing now scheduled for February 9 on applications of Presque Isle Broadcasting Co. (WERC) for construction permit and license to cover same, etc. Exceptions noted by Counsel for WLEU.

WOKO—WOKO, Inc., Albany, N. Y.—Granted petition for extension of time to file exceptions and request for oral argument in re application for renewal of license, and the time was extended from February 5 to February 15, 1945.

KROW—Educational Broadcasting Corp., Oakland, Calif.—The Commission on its own motion, continued the hearing now scheduled for February 5 to March 7, in re application for renewal of license.

KELO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.—Granted license to cover construction permit which authorized installation of a new antenna. Also granted authority to determine operating power by direct measurement of antenna power. The action is taken without prejudice to determination of the issues in the hearing on the petition and application for renewal of license of station KSOO, pursuant to Multiple Ownership Rule.

WJNO—WJNO, Inc., West Palm Beach, Fla.—Granted license to cover construction permit which authorized move of transmitter and studio. Also granted authority to determine operating power by direct measurement of antenna power.

WFBM—WFBM, Inc., Indianapolis, Ind.—Granted construction permit for a 1 KW auxiliary transmitter, using directional antenna night. (B4-P-3837)

WKAQ—Radio Corp. of Puerto Rico, San Juan, P. R.—Granted modification of construction permit which authorized move of transmitter and studio, for extension of completion date to July 26, 1945. (B-MP-1789)

WKAQ—Radio Corp. of Puerto Rico, San Juan, P. R.—Granted modification of construction permit which authorized move of auxiliary transmitter to new site of main transmitter, for extension of completion date to July 26, 1945. (B-MP-1790)

WEJC—National Broadcasting Co., Inc., Washington, D. C.—Granted construction permit to reinstate construction permit B1-PRE-440) to move transmitter from Trans Lux Building to 11th and Penna. Ave. N. W., Washington, D. C., and make changes in antenna. (B1-PRE-442)

Bob Jones College, Inc., Cleveland, Tenn.—Granted petition for dismissal without prejudice of application for new station.

WJZ—American Broadcasting Co., Inc., New York City.—Granted petition for substitution of the name American Broadcasting Co., Inc., for that of Blue Network Company in all pleadings and other documents filed with the Commission in connection with the proceedings in re application of KOB, Albuquerque, N. Mex., for modification of construction permit, license to cover modified construction permit, and authority to determine operating power; and granted petition for additional time to and including February 19 within which to file its Proposed Findings of Fact and Conclusions in re this matter.

WKBZ—Ashbacker Radio Corp., Muskegon, Mich.—Denied motion to amend the issue in Notice of Hearing in re application for construction permit; exceptions noted by Counsel for petitioner.

Midwest Broadcasting Co., Milwaukee, Wis.—Passed over petition for leave to intervene and for enlargement of issues in re application of WREN in Docket 6703.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—KGA—Louis Wasmer, Spokane, Wash.—Granted in part petition for continuance of hearings on applications for renewal of licenses of KHQ and KGA, and the hearing now scheduled for February 15 was continued to Monday, March 19.

Frederic Andreae, New York City.—Ordered that J. Alfred Guest, Commission Field Attorney, be assigned to preside at the hearing in re application of Andreae for Second Class Radiotelegraph Operator's License, to be held Feb. 28, at the Commission's offices in New York City.

WNYG—City of N. Y. Municipal Broadcasting System, area of New York City.—Granted license to cover construction permit (B1-PRY-297) to reinstate construction permit (B1-PRY-380) for new relay broadcast station; frequencies **1622, 2058, 2150, 2790 kc.,** 40 watts. (B1-LRY-314)

The following application for FM broadcast stations was placed in the pending files in accordance with Commission policy adopted February 23, 1943:

The Radio Station KFH Co., Wichita, Kans.

The following amended application for FM broadcast stations were retained in the pending files pursuant to policy adopted February 23, 1943:

Green Bay Newspaper Co., Green Bay, Wis.; Times-Star Publishing Co., Alameda, Calif.

The following applications for commercial television stations were placed in the pending files in accordance with Commission policy of February 23, 1943:

The Crosley Corp., Columbus, Ohio; WTER, Zenith Radio Corp., Chicago, Ill.

WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich.—Granted in part motion for continuance of hearing on renewal of license now scheduled for February 7, and continued same to Monday, March 12, 1945.

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, Owner), Rochester, N. Y.—Granted modification of construction permit as modified, which authorized change of frequency, increase in power, etc., for extension of completion date to Feb. 28, 1945.

APPLICATIONS FILED AT FCC

680 Kilocycles

KFEQ—KFEQ, Inc., St. Joseph, Mo.—License to cover construction permit (B4-P-3646) which authorized installation of an auxiliary transmitter.

KFEQ—KFEQ. Inc., St. Joseph, Mo.—Authority to determine operating power by direct measurement of antenna power.

770 Kilocycles

WEW—The St. Louis University, St. Louis, Mo.—Special service authorization to operate on **770 kc.**, with power of 1 KW day and 250 watts night, unlimited time for the period ending 3 a. m., EST, 11-1-46.

920 Kilocycles

KFNF, Inc., Shenandoah, Iowa.—Transfer of control of licensee corporation from Henry Field to Midwest Broadcasting Company—50.33%.

1430 Kilocycles

NEW—Coeur d'Alene Broadcasting Co., Coeur d'Alene, Idaho.—Construction permit for a new standard broadcast station to be operated on **960 kc.**, power of 1 KW and unlimited hour of operation. Amended: to change frequency to **1430 kc.** and install directional antenna for day and night use.

1450 Kilocycles

KONP—Evening News Press, Inc., Port Angeles, Wash.—License to cover construction permit (B5-P-1933 as modified) for a new standard broadcast station.

KONP—Evening News Press, Inc., Port Angeles, Wash.—Authority to determine operating power by direct measurement of antenna power.

NEW—Copper City Broadcasting Corp., Rome, N. Y.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, 250 watts power, unlimited time.

NEW—Utica Broadcasting Co., Inc., Utica, N. Y.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: re changes in corporate structure.

1490 Kilocycles

NEW—Adelaide Lillian Carrell, Wichita, Kans.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

FM APPLICATIONS

NEW—E. Anthony & Sons, Inc., New Bedford, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45700 kc.** with coverage of 1,787 square miles. Amended: to change coverage to 4,303 square miles, change type of transmitter and antenna changes.

NEW—McClatchy Broadcasting Co., Fresno, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46700 kc.** with coverage of 14,500 square miles.

NEW—Indiana Broadcasting Corp., Indianapolis, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46100 kc.** with coverage of 9,245 square miles.

NEW—S. E. Adcock, Knoxville, Tenn.—Construction permit for a new high frequency (FM) broadcast station to be operated on **44500 kc.** with coverage of 12,440 square miles.

NEW—McClatchy Broadcasting Co., Sacramento, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47100 kc.** with coverage of 24,580 square miles.

NEW—Burlington Broadcasting Co., Burlington, Iowa—Construction permit for a new high frequency (FM) broadcast station to be operated on **45300 kc.** with coverage of 10,080 square miles.

NEW—Frank R. Pidcock, Sr., near Moultrie, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47300 kc.** with coverage of 10,100 square miles.

MISCELLANEOUS APPLICATIONS

NEW—Evangelical Lutheran Synod of Missouri, Ohio and other States, Clayton, Mo.—Construction permit for a new noncommercial educational broadcast station to be operated on **42900 kc.**, 250 watts power, unlimited time, special emission for FM.

WSCC—Savannah Broadcasting Co., area of Savannah, Ga.—Construction permit to reinstate construction permit (B3-PRE-435, as modified) which authorized a new relay broadcast station to be operated on **30820, 33740, 35820** and **37980 kc.**, 2 watts power, A3 emission.

KICD—Iowa Great Lakes Broadcasting Co., North of Spencer, Iowa—Voluntary transfer of control of licensee corporation from L. W. Andrews to Ben B. Sanders (309 shares common stock—64.375% outstanding; and 120 shares preferred stock —47.25% outstanding).

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Food, Inc.—A complaint alleging the dissemination of false advertisements concerning the therapeutic properties of certain so-called health food preparations has been issued against Food, Incorporated, and Nature Food Centres, Inc., both of 716 Columbus Ave., Boston; Nature Food Centres of Connecticut, Inc., Hartford; Nature Food Centres of Rhode Island, Inc., Providence; and the corporations' officers and directors, Andrew F. Rosenberger, Emily M. Rosenberger and Henry K. Rosenberger. (5271)

McKinley-Roosevelt, Inc., et al.—Five Chicago corporations and three officers who control and direct the corporations' policies and activities are named respondents in a complaint charging them with misrepresentation in connection with the interstate sale of correspondence courses of instruction in engineering, law, agriculture, psychology, education, chemistry, business, theology and sociology. The corporations are McKinley-Roosevelt, Incorporated, McKinley-Roosevelt Foundation, McKinley-Roosevelt Schools, Inc., McKinley-Roosevelt Graduate College and McKinley-Roosevelt University, all of 4610 Sheridan Road, Chicago. The officers of the corporations are Jessie M. Taylor, president and treasurer, William R. Peacock, secretary, and Lozier D. Warner, director. (5272)

Phillips Sales Co., Inc.—A complaint alleging violation of the brokerage section of the Robinson-Patman Act, in connection with the interstate sale and purchase of food products, including canned vegetables and canned meat, has been issued against Phillips Sales Company, Inc., Cambridge, Maryland, and Max E. Guthman and Aaron Guthman, trading as Haas-Guthman Company, 601 West Hull Street, Savannah, Georgia. (5273)

C. C. Waddill Co., Inc.—Violation of the brokerage section of the Robinson-Patman Act is alleged in a complaint against C. C. Waddill Company, Inc., 221 East Water St., Norfolk, Va., engaged in business as both a broker and a direct buyer of food products, including canned fish, canned fruits and vegetables, and other commodities. (5270)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Englander Co., Inc., 2447 Roosevelt Road, Chicago, entered into a stipulation to discontinue misrepresentations concerning the quality and construction of mattresses it sells in interstate commerce. (3973)

Fostoria Pressed Steel Corp.—A stipulation to discontinue certain representations concerning a lamp device advertised as being effective as an insecticidal and bactericidal agent has been entered into by Fostoria Pressed Steel Corp., Fostoria, Ohio. The lamp was manufactured by the corporation and was known as the Fostoria Leray Para-Sphere, and was designed and constructed to emit visible light and infra red radiation having wave lengths up to approximately 25,000 angstrom units. (3970)

Fulton Tool Co., 709 Kent Ave., Brooklyn, entered into a stipulation to cease and desist from representing that used or worn files sold by him are new, by failure to stamp thereon in conspicuous and legible terms which cannot be removed or obliterated without a grinding or buffing process, a statement that the files are "reconditioned" or "rebuilt," and from representing in any other manner that such files are new. (3971)

Greenstein Dress Corporation, 325 West Jackson Blvd., Chicago, engaged in the sale of women's dresses, has entered into a stipulation to cease and desist from using the word "Corporation" as a part of their trade name, and from use of such name or its abbreviation, the effect of which tends to convey the belief that the business they conduct is a corporate entity. (3967)

Industrial Engineering Institute, P. O. Box 1517, Indianapolis, engaged in the sale of a correspondence course of instruction in industrial plant or machine shop operation, stipulated that they will discontinue using the word "Institute" or any abbreviation or simulation thereof in their trade or school name, or otherwise representing that their school is an institute or that it was organized or is equipped to carry on the work of an institute. (3968)

L. N. LeBold & Co., 130 Main St. East, Rochester, N. Y., engaged in the sale of Vee-mor, a preparation advertised as a reducing agent and food supplement, stipulated that he will discontinue representing that the product has any reducing action or that any loss in weight resulting from following the directions for its use is other than that which naturally results from a restricted or reduced food intake. (3972)

Lucky Heart Laboratories, Inc.—An amended stipulation relating to use of the word "free" in describing or referring to merchandise has been entered into by Lucky Heart Laboratories, Inc., 388 Mulberry St., Memphis, Tenn., trading as Lucky Heart Co. and Erbru Medicine Co. The corporation is engaged in the sale of cosmetics, medicinal preparations and a so-called "dream book." (02101)

Vogue Manufacturing Co., Inc., 330 Ocean Parkway, New York, entered into a stipulation to discontinue certain misrepresentations in connection with the wholesale distribution and sale of fur coats. (3969)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

American School of Commerce.—An order to cease and desist from unfair and deceptive acts and practices in connection with the sale of courses of instruction in business subjects has been issued against American School of Commerce, Baum Bldg., Omaha, Nebr., and John A. Youngstrom, president of the corporation; Edward C. Dusatko, vice-president, and D. N. Doyle, its former secretary. (4624)

Chas. A. Brewer & Sons, 6320 Harvard Ave., Chicago, have been ordered to cease and desist from the interstate sale of punchboards, push cards or other lottery devices which are to be used or may be used in the sale of merchandise to the public by means of a game of chance, gift enterprise or lottery scheme. (3952)

Dr. H. A. Pietri Company, 620 West 141 Street, New York, has been ordered to cease and desist from disseminating any advertisements which represent that the hair dye she sells under the name "Zenaida" will restore hair to its original color or the appearance of its natural color, and will not stain the clothing, hands or scalp. (5146)

F. H. Noble & Co., 535-559 West 59th St. Chicago, manufacturer and distributor of gold solder and jewelers' findings, has been ordered to cease and desist from representing that its solder is of a fineness in excess of its actual gold content. (5092)

Union Trading Stamp Co., 549 West Randolph St., Chicago, and its president and treasurer, Frank A. Hayes, has been ordered to cease and desist from selling or distributing in interstate commerce sales promotion cards, booklets or other articles so designed that their use in connection with the distribution of merchandise in accordance with such plan or design constitutes the operation of a game of chance, gift enterprise or lottery scheme. (5011)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 7, February 16, 1945

11TH DISTRICT MEETING

Despite his vigorous protest that he was not a candidate for re-election, Ed L. Hayek, KATE, Albert Lea, was drafted unanimously to serve another two-year term as director of the eleventh district at the closing session of the two-day meeting in Minneapolis, February 12 and 13.

In the absence of J. Harold Ryan, NAB president, who was attending the convention of the Canadian Association of Broadcasters in Quebec, C. E. Arney, Jr., NAB secretary-treasurer, reported on the activities of the Association, including labor, legislative and music problems. At the opening session, C. T. Hagman of WTCN, Minneapolis, district chairman of the public relations committee, reported for that group; while Dick Day, WDGY, Minneapolis, district chairman of the program managers committee, presented a new angle on programming during wartime.

At the invitation of Hugh M. Feltis, president of Broadcast Measurement Bureau, Roger W. Clipp, WFIL, Philadelphia, chairman of the NAB research committee, attended the meeting and participated in the presentation of the Bureau plan.

The second day opened with the small market stations panel at which Jerry Wing, KROC, Rochester, member of the small market stations committee, presided. During the session, John F. Meagher, KYSM, Mankato, was introduced as the newly appointed district chairman of this group.

Ray Jenkins, KSTP, St. Paul, presided at the sales managers clinic, during which Lewis H. Avery and Helen A. Cornelius of the NAB department of broadcast advertising spoke.

Having recently returned from conferences in Washington, Mrs. Hayle S. Cavanor of OWI emphasized the seriousness of the war with Japan and urged the broadcasters to inform the public of the probable long length and brutal nature of the war that remains to be fought in the Pacific.

At the conclusion of the conference, a resolution was passed unanimously, urging that "immediate consideration be given the appointment of another outstanding leader comparable to J. Harold Ryan, so recognized by American industry and commerce, as president of NAB."

The Minnesota Radio Council was host to the delegates at a luncheon on the second day attended by more than 300 leaders in the civic, educational and social life of Minneapolis and St. Paul. Dr. Charles J. Turck, who has recently returned to the presidency of MacAlester College, after a tour of voluntary duty with the Army, voiced a fervent plea for the United States to be a good neighbor among nations.

At a banquet for the broadcasters on Monday evening, Stafford King, auditor of the State of Minnesota, who has recently returned from nearly three years' service with the Army Air Force, in the Southwest Pacific, painted an accurate and unflattering picture of life in that area for GI Joe. He pleaded with the broadcasters to bring home to the American public a full realization of the seriousness of the war yet to be fought in the Pacific.

10TH DISTRICT MEETING

An overwhelming majority of the delegates to NAB tenth district meeting, Wednesday and Thursday, February 7-8, in Kansas City, subscribed to the Broadcast Measurement Bureau. ODT convention restrictions drastically reduced outside attendance, necessitating a last minute split of what was to have been a combined tenth and twelfth district meeting. Key broadcasting officials from throughout Missouri, Iowa and Nebraska were present. Hugh Feltis, BMB president, presented the plan to the conference.

Among highlight discussions of the meetings was the impromptu talk of Phil Hoffman, KRNT, Des Moines, on public relations in which the industry was challenged with the belief, "I do not think that we are taking advantage of our opportunities with public service programs, and not selling them back to the listeners and the clients."

Attending the first day's discussions was the radio council of Kansas City. Father Roswell Williams, treasurer of the council, and professor at Rockhurst College, Kansas City, expressed the opinion:

> "I believe advertising makes America free from such control that might make it primarily a mere propaganda agency for the party in power. Whatever party that might be. One thing I would like to see is more competent reviews of radio programs by newspapers and magazines."

Harold Fair, program director, WHO, Des Moines, and chairman of the NAB program managers executive committee, also appeared on the first day's session in a discussion on the importance of good programming in the days ahead. Mr. Fair summarized his comments with: "The industry is facing a period of development and therefore highly concentrated competition. The best assurance that a station has to survive that competition is its audience. One way to win and hold that audience is through sound programming."

In honor of NAB President J. Harold Ryan, the Kansas City Chamber of Commerce turned over its regularly scheduled public affairs luncheon to the broadcast industry. Mr. Ryan, introduced by Arthur B. Church, president of KMBC, Kansas City, and one of radio's early pioneers, discussed the first quarter century of broadcasting in America. The talk was broadcast over the Kansas State network. The story of broadcasting was also taken to the members of the Rotary Club on Thursday in an address by Lewis H. Avery, director of broadcast advertising.

In the second day's meetings Ralph Wentworth of BMI explained the plans of the organization expressing the hope that: "I would like to see the day come in broadcasting when management would take as aggressive an interest in music as the motion picture industry does."

John J. Gillin, Jr., president of WHO, Omaha, presided at the tenth district meetings. Station men were feted by R. J. Potts-Calkins & Holden, Kansas City advertising agency, in a cocktail party the closing night of the conference.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N.W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations;* Lewis H. Avery, *Director of Broadcast Advertising;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Arthur C. Stringer, *Director of Promotion;* John Morgan Davis, *General Counsel.*

MORE ON 14TH DISTRICT MEETING

A very important part of the story of the 14th District Meeting in Salt Lake City on Thursday and Friday, February 1 and 2, was inadvertently omitted from the February 9 issue of NAB REPORTS.

At the close of the opening day sessions, the broadcasters were guests of KDYL and KUTA at a cocktail party. This was followed by a buffet supper at which KSL was host.

Following the supper, the delegates were guests at a special choir and organ recital in the famous Salt Lake City Tabernacle. The 345-voice choir and magnificent organ recital thrilled those who saw this oldest of network sustaining programs for the first time.

After the recital, the delegates went to the studios of KDYL, where Harold Ryan, NAB president, and Hugh Terry of KLZ, 14th district director, were televised for the entertainment of the broadcasters.

SELECT HOTELS FOR 3 MEETINGS

Directors have now completed arrangements for all meeting places for the series of district meetings beginning March 5, in Boston, and ending April 3, in Detroit. List was published in Feb. 9 NAB REPORTS, with the exception of those below:

Hotel Charlotte—Charlotte

North and South Carolina broadcasters will meet Thursday and Friday, March 15-16, at Hotel Charlotte, Charlotte.

Henry Grady Hotel—Atlanta

Georgia and Alabama broadcasters will meet Monday and Tuesday, March 19-20, at Henry Grady Hotel, Atlanta.

Hotel Book-Cadillac—Detroit

8th district broadcasters will meet Monday and Tuesday, April 2-3, at Hotel Book-Cadillac, Detroit.

8 MORE PROGRAMS READY FOR BROADCAST TO ARMED FORCES OVERSEAS

Receipt of 6 more "Let's Go to Town" programs by Armed Forces Radio Service has been acknowledged. These 6, plus two more en route to the coast, bring weekly production to 8.

Shipment of the Denver "Let's Go to Town" program completes that city's assignment of two shows. The first one was shipped early December. The 8 completions are listed below.

New Allocation

Robert J. Coleman, general manager, WKAR, East Lansing, Michigan, has accepted appointment as Task Force Commander for the Lansing metropolitan area.

DISTRICT I
Portland, Me. . . . . William Rines, WCSH, TFC*

DISTRICT II
Albany . . . . Harold Smith, WABY, TFC*
Ithaca . . . . Michael Hanna, WHCU, TFC*

DISTRICT IV
Charleston, W. Va. . . . Howard L. Chernoff, WCHS, TFC*

DISTRICT VI
Baton Rouge . . . . Roy Dabadie, WJBO, TFC*

DISTRICT IX
Rockford . . . . Walter M. Koessler, WROK, TFC*

DISTRICT XI
Minneapolis . . . . A. E. Josclyn, WCCO, TFC*

DISTRICT XIV
Denver
Robert B. Hudson, Rocky Mountain Radio Council, TFC*

RADIO
1920 - 1945
XXV

SPECIAL 25TH ANNIVERSARY BULLETIN NO. 5 IS SPEECH OF HAROLD RYAN

To provide material for speeches on the subject of Radio's Twenty-Fifth Anniversary, the Special Twenty-Fifth Anniversary Bulletin No. 5, enclosed with this issue of NAB REPORTS, consists of a speech by Harold Ryan entitled, "A Quarter Century of Broadcasting in America."

Ryan delivered this speech before the meeting of the Chamber of Commerce of Kansas City, Missouri, on February 7, from where it was also broadcast. His appearance in Kansas City was in connection with the meeting of NAB District 10.

The speech may be used as source material or delivered in its present form, if expedient, before civic organizations and other public gatherings. It was written for the layman, incorporating digested portions of "The Elements of a Successful Program," one of the pamphlets published by the Retail Promotion Committee.

XXV NETWORK COMMITTEE MEETS IN NEW YORK

The Committee on Network Participation in Radio's Twenty-Fifth Anniversary observance met in New York City Friday, February 16, with Harold Ryan, NAB president, and Willard Egolf, director of public relations.

This Committee was appointed following the December meeting of twenty representatives of the four major networks and consists of Dr. Frank Stanton, vice president, Columbia Broadcasting System; Robert D. Swezey, vice president, Mutual Broadcasting System; Mark Woods, president, Blue Network, and Frank E. Mullen, vice president, National Broadcasting Company. William S. Hedges, vice president, NBC, attended the meeting in place of Mullen.

Plans for network participation in the industry's Anniversary observance were discussed from every angle. The report of this Committee will be presented to the Public

Relations Executive Committee, in Washington, February 20-21.

OFFICE OF CENSORSHIP COMMENDS BROADCASTERS

The following letter, signed by Byron Price, director of the Office of Censorship, has been received by NAB:

"The responsible editors and news broadcasters of the United States are entitled to great credit for their conduct, under voluntary censorship, with respect to the international conference in the Black Sea area.

"The difficulties have been many but in spite of strong provocation from abroad domestic news columns and broadcasts in this country have been, on the whole, remarkably free of aid to the enemy. That he still is confused about major points of security connected with the conference is demonstrated by the outgivings of enemy propagandists.

"The Office of Censorship offers its thanks and appreciation."

SELECTIVE SERVICE

Upon the War Manpower Commission's list of 35 activities which were designated essential in the past, there has been superimposed a group of critical categories, and workers in these critical activities will retain their occupational deferments as long as possible.

Radio broadcasting has been continued as an essential activity under the Communications Services classification. Moreover, while all activities therein are termed essential, ALL TECHNICAL, SCIENTIFIC AND RESEARCH PERSONNEL ENGAGED IN RADIO BROADCASTING, AS AN ESSENTIAL ACTIVITY, ARE REGARDED AS BEING ENGAGED IN CRITICAL ACTIVITIES.

It is understood that Selective Service instructions to Draft Boards will follow the priority system of induction set up by War Mobilizer Byrnes, in a release issued January 15, which contemplates the induction of men in the 26 to 29 age group in the following order:

1. Registrants not employed in any of the activities on the list.
2. Registrants engaged in relatively unimportant jobs in the essential but not critical activities, and registrants who may be replaced without difficulty.
3. Registrants employed in relatively unimportant jobs in critical war programs, and registrants in such programs who may be replaced without difficulty.
4. Registrants engaged in relatively more important jobs in essential but not critical activities.
5. Registrants engaged in more important jobs in critical activities.

A note of caution. As you know Selective Service Headquarters issues regulations upon which the State Directors base their instructions to their Local and Appeal Boards. We have been advised that some State Directors are viewing the provision that "all technical, scientific and research personnel in any listed activity are regarded as being engaged in critical activities" as being applicable only to men who hold engineering degrees or have other similar high qualifications which raise them considerably above the ordinary technical, scientific or research personnel.

This interpretation seems to be restricted to those men who are in the 26 through 29 age group, and even in these states, Selective Service Headquarters have been deferring workers in essential activities who are 30 years of age or over. It will be well for you to check with your own State Headquarters for its interpretation of this War Manpower Commission provision in making your plans as to personnel affected by the draft, especially those workers under 30 years of age.

NAB REPRESENTED AT QUEBEC MEETING

Harold Ryan, NAB president; John E. Fetzer, WKZO; John J. Gillin, Jr., WOW; Kolin Hager, WGY; and Frank N. Stanton, CBS, represented the NAB Board at the 11th Annual Convention of the Canadian Association of Broadcasters, Chateau Frontenac, Quebec, February 12-14.

The Bureau of Broadcast Measurement, Canadian Association counterpart of Broadcast Measurement Bureau, met simultaneously. Mr. Ryan, Dr. Stanton, CBS vice president, and a member of the BMB board, and Paul Peter, NAB director of research, participated in these sessions.

CITY-WIDE INTEREST IN WQAM CONTEST

A promotion, particularly designed by Fred Borton, president, WQAM, for Miami high school students, has spilled over its initially intended sphere of influence to include adult home listeners, educators, good neighbor Republics and business interests of the ctiy.

While accomplishing its purpose of encouraging "greater understanding and knowledge of the Latin-American countries among the youth of Dade county," the promotion points up Miami's postwar destiny as hemispheric air terminal.

Miami's plans for Latin-American trade after the war include building of an extensive Pan-American Center, to include permanent exposition sites and actual trading facilities. At the present time there is more cargo and more passengers entering this country from Latin American cities through Miami than through any other city. Pan American Airways handled over 500,000 pounds of air express annually before the war. This will more than double after the war. Hundreds of U. S. service cargo planes operate out of Miami now. In peace time they will continue on a commercial basis.

From October 16, 1944, and inclusive of April 16, 1945, WQAM will be on the air 9:30 to 9:45 a. m., Mondays, with its Latin American essay contest promotion.

Miss Paquita Rabell, head of the Miami Chamber of Commerce Latin American Department, discusses thoroughly one country on successive programs, every fifth one, however, being devoted to a resume. The Consul of the country featured on each program is interviewed on his native land.

Norman MacKay, WQAM, arranged with the Board of Education for a special Latin American book display to be available in each library in the city and country.

All Consuls answer students' questions. The contest is endorsed by the school board, the Pan American League and the City of Miami.

Competing essays, 300 to 500 words in length, must reach WQAM by April 30 for judging by: Mrs. Clark Stearns, president of the Pan-American League; Dr. I. T. Pearson, supervisor of instruction, Dade County; and J. Kennard Johnson, secretary, Miami Chamber of Commerce.

First prize is a $100 wrist watch, suitably engraved. Second and third prices are Sheaffer lifetime desk pen sets.

GEORGE SUTHERLAND COMPLETES PROGRAM MANAGERS EXECUTIVE COMMITTEE

The appointment of George Sutherland, program manager of WOL, to the program managers executive committee, completes the personnel of this committee for the current year. Sutherland was formerly a member of the committee but was out of radio temporarily before coming to WOL.

EASTER PROGRAM MATERIAL

In anticipation of seasonal program activities for Easter, NAB is happy to co-operate with the **Christian Observer** in publishing the following story of the Resurrection in abbreviated form:

"And when they were come unto a place called Golgotha, they crucified him. And with him they crucify two thieves; the one on his right hand, and the other on his left.

"And Pilate gave the body to Joseph. And he bought fine linen, and took him down, and wrapped him in the linen, and laid him in a sepulchre which was hewn out of a rock, and rolled a stone unto the door of the sepulchre.

"And, behold, there was a great earthquake: for the angel of the Lord descended from heaven, and came and rolled back the stone from the door, and sat upon it. His countenance was like lightning, and his raiment white as snow: and for fear of him the keepers did shake, and became as dead men.

"In the end of the sabbath, as it began to dawn toward the first day of the week, came Mary Magdalene and the other Mary to see the sepulchre.

"And they said among themselves, Who shall roll us away the stone from the door of the sepulchre? And when they looked, they saw that the stone was rolled away: for it was very great.

"And they entered in, and found not the body of the Lord Jesus. And the angel . . . said unto the women, Fear not ye: for I know that you seek Jesus, which was crucified. He is not here: for he is risen, as he said. Come, see the place where the Lord lay. And go quickly, and tell his disciples that he is risen from the dead; And they departed quickly from the sepulchre with fear and great joy; and did run to bring his disciples word.

"Peter therefore went forth, and that other disciple, and came to the sepulchre. . . . And the other disciple did outrun Peter . . . and looking in, saw the linen clothes lying; yet went he not in.

"Then cometh Simon Peter . . . and went into the sepulchre. . . . Then went in also that other disciple, which came first to the sepulchre, and he saw, and believed.

"Then the disciples went away again unto their own home.

"Now when Jesus was risen early the first day of the week, he appeared first to Mary Magdalene, . . .

". . . Mary stood without at the sepulchre weeping; and as she wept, she stooped down, and looked into the sepulchre, . . .

"And . . . she turned herself back, and saw Jesus standing, and knew not that it was Jesus.

"Jesus saith unto her, Woman, why weepest thou? whom seekest thou? She, supposing him to be the gardener, saith unto him, Sir, if thou have borne him hence, tell me where thou hast laid him, and I will take him away.

"Jesus saith unto her, Mary. She turned herself, and said unto him, . . . Master.

"Jesus saith unto her, Touch me not; for I am not yet ascended to my Father: but go to my brethren, and say unto them, I ascend unto my Father, and your Father; and to my God, and your God.

"After that he appeared in another form unto two of them, as they walked, and went into the country . . . to a village called Emmaus.

". . . And he went in to tarry with them.

"And it came to pass, as he sat at meat with them, he took bread, and blessed it, and brake, and gave to them. And their eyes were opened, and they knew him; and he vanished out of their sight.

"And they rose up the same hour, and returned to Jerusalem, and found the eleven gathered together, and them that were with them, saying, The Lord is risen indeed, and hath appeared to Simon. And they told what things were done in the way, and how he was known of them in breaking of bread.

"And as they thus spake, Jesus himself stood in the midst of them, and saith unto them, Peace be unto you.

"But they were terrified and affrighted, and supposed that they had seen a spirit. And he said unto them, Why are ye troubled? and why do thoughts arise in your hearts? Behold my hands and my feet, that it is I myself: handle me, and see; for a spirit hath not flesh and bones, as ye see me have.

"And when he had thus spoken, he shewed them his hands and his feet.

"But Thomas, one of the twelve, called Didymus, was not with them when Jesus came. The other disciples therefore said unto him, We have seen the Lord.

"But he said unto them, Except I shall see in his hands the print of the nails, and put my finger into the print of the nails, and thrust my hand into his side, I will not believe.

"And after eight days again his disciples were within, and Thomas with them: then came Jesus, the doors being shut, and stood in the midst, and said, Peace be unto you.

"Then saith he to Thomas, Reach hither thy finger, and behold my hands; and reach hither thy hand, and thrust it into my side; and be not faithless, but believing.

"And Thomas answered and said unto him, My Lord and my God.

"Jesus saith unto him, Thomas, because thou hast seen me, thou hast believed: blessed are they that have not seen, and yet have believed.

"After these things Jesus shewed himself again to the disciples at the sea of Tiberias.

"After that he was seen of above five hundred brethren at once.

"Then the eleven disciples went away into Galilee, into a mountain where Jesus had appointed them.

"And Jesus came and spake unto them, saying, . . . All power is given unto me in heaven and in earth. Go ye therefore and teach all nations . . . teaching them to observe all things whatsoever I have commanded you. Lo, I am with you alway, even unto the end of the world.

"And he led them out as far as to Bethany, and he lifted up his hands, and blessed them, And it came to pass, while he blessed them, he was parted from them, and carried up into heaven.

"(All the above passages are from the New Testament, word for word as written there.)"

CERTIFICATE OF MERIT FOR KFEL

The program schedule for KFEL, week of February 11, boxes a significant news item stating that the Denver Junior Chamber of Commerce has awarded a Certificate of Merit to station KFEL "in recognition of unselfish services rendered in civic and social advancement and promotion of national welfare."

NUNN STATIONS ANNOUNCE NEWSPAPER, TRADE JOURNAL SCHEDULES

The Nunn stations, WBIR, Knoxville; WLAP, Lexington; WCMI, Ashland and Huntington; and KFDA, Amarillo, report that they will use a total of over 112,000 lines in the daily newspapers in their respective cities, and a minimum of 80 display advertisements in radio trade journals during 1945.

HEARINGS ON DONDERO BILL

The House Committee on Interstate and Foreign Commerce has announced that open hearings will begin February 22, in connection with H. R. 1648 introduced by Rep. Dondero, of Michigan.

This is a companion bill to the Vandenberg bill which has already been passed by the Senate and deals with the Petrillo situation.

MONRONEY BILL WOULD AFFECT PETRILLO

On February 12 Rep. Monroney (D), Oklahoma, introduced the following Bill in the House:

A BILL

To Confer Jurisdiction in the United States Courts in Cases Involving Work Stoppage for Illegitimate and Nonlabor Purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 20 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, is amended to read as follows:

"And no such restraining order or injunction shall prohibit any person or persons, whether singly or in concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means so to do; or from attending at any place where any such person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information, or from peacefully persuading any person to work or to abstain from working; or from ceasing to patronize or to employ any party to such dispute, or from recommending, advising, or persuading others by peaceful and lawful means so to do; or from paying or giving to, or withholding from, any persons engaged in such dispute, any strike benefits or other moneys or things of value; or from peaceably assembling in a lawful manner, and for lawful purposes; or from doing any act or thing which might lawfully be done in the absence of such dispute by any party thereto; nor shall any of the facts specified in this paragraph be considered or held to be violations of any law of the United States: *Provided,* That nothing in this paragraph shall be construed in any proceeding, civil or criminal, instituted by the United States under the antitrust laws to make lawful any combination, contract, or conspiracy in restraint of trade having as its purpose one or more of the objects which are defined in section 2, subsections (a), (b), (c), and (d), as not being legitimate objects of labor, agricultural, or horticultural organizations."

Sec. 2. That section 6 of the Act entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, is amended by adding thereto the following additional paragraphs:

"It shall not be within the legitimate objects of such organizations or of the officers, representatives, or members thereof to make any contract, or to engage in any combination or conspiracy, in restraint of commerce, if one of the purposes of such contract, combination, or conspiracy is—

"(a) to induce or require any employer to deal with, to recognize or to employ members of one labor organization instead of members of another labor organization when the latter has been designated exclusive representative of the appropriate labor unit for the purpose of collective bargaining pursuant to the National Labor Relations Act (July 5, 1935, ch. 372, sec. 9; 49 Stat. 452) and provided such latter union is free from domination or interference in its formation or administration by the employer and the employer does not contribute financial or other support to it; or

"(b) to induce or require any employer to pay or to give to any officer, agent, or representative of a labor organization any money or other thing of value unless the payment is pursuant to publicly announced terms of an existing collective bargaining agreement and no part thereof is for the personal benefit of such officer, agent, or representative; or

"(c) to induce or require any employer to impose unreasonable restrictions or conditions upon the use of any material, machines, or equipment: *Provided,* That no such restrictions or conditions shall be regarded as unreasonable if they are directly and appropriately related to the wages, hours, health, safety, or working conditions of the employees, or if they are required in good faith as part of a temporary program to retard technological unemployment by providing an orderly change in the methods of production or distribution or to forestall the imposition by the employer of a speed-up system; or

"(d) to join or combine with any employer or any nonlabor group to fix prices, allocate customers, restrict production, eliminate competing employers, monopolize or attempt to monopolize any part of trade or commerce, or to restrain competition or otherwise to restrain trade or commerce; or

"(e) to induce or require any employer to employ, or to pay any wages, salary, or other compensation to any person when such person is in fact in excess of the number of persons reasonably required to perform the work in which the employer is engaged: *Provided,* That no employee whose employment is directly and appropriately related to any of the subjects set out in the proviso to paragraph (c) of this section 2 shall be regarded as being in excess of the number reasonably required to perform the work in which the employer is engaged."

The New York *Times*, in an article on Feb. 13, makes the following observation on this bill:

"Mr. Monroney's bill would clearly make illegal two of the current practices of James C. Petrillo's American Federation of Musicians, AFL. One of them is his refusal to recognize the certification by the National Labor Relations Board of the National Association of Broadcasting Engineers and Technicians as the bargaining agent of 'platter turners,' and the other is the forced hiring of 'standby' musicians."

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 19. They are subject to change.

Monday, February 19

WMC—Memphis Publishing Company, Memphis, Tenn.—Renewal of license for main and auxiliary transmitter. **790 kc.**, 5 KW (main) 500 watt (auxiliary), unlimited (main), (DA-night). Aux. purposes only (Aux.).

WEEU—Berks Broadcasting Co., Reading, Penn.—Renewal of license, **850 kc.**, 1 KW, daytime.

Federal Communications Commission Action

APPLICATIONS GRANTED

KMYR—F. W. Meyer (Assignor), KMYR Broadcasting Company (Assignee), Denver, Colo.—Granted consent to voluntary assignment of license of station KMYR from F. W. Meyer to KMYR Broadcasting Company, a newly organized corporation in which the Assignor is to own the controlling stock (251/500 shares); Meyer, the individual owner, will assign and transfer to KMYR Broadcasting Co. all the tangible assets of KMYR, having an original cost of $43,362.55 and a depreciated value as of Oct. 26, 1944 of $23,841.09, in exchange for 250 shares of the corporation's stock (par value $100 per share). (B5-AL-456)

WROX—Robin Weaver, Sr. (Assignor), Birney Imes, Sr. (Assignee), Clarksdale, Miss.—Granted consent to voluntary assignment of license of Station WROX from Robin Weaver, Sr., to Birney Imes, Sr., for a consideration of $25,000. (B3-AL-450)

WJEF—Fetzer Broadcasting Co., Grand Rapids, Mich.—Granted license to cover construction permit for a new station to operate on **1230 kc.**, 250 watts, unlimited time, and authority to determine operating power by direct measurement of antenna power. At the same time the Commission approved a letter to Counsel for Ashbacker Radio Corp., Muskegon, Mich., denying request that Commission delay final action on the Fetzer application.

KFJI—KFJI Broadcasters, Inc., Klamath Falls, Ore.—Granted request for 30 days extension of time within which to complete the transfer of control of KFJI.

WALB—Herald Publishing Co., Albany, Ga.—Granted petition of WALB to dismiss application for construction permit to change frequency from **1590 to 1550 kc.**, and make changes in directional antenna (Docket 6399), and application for assignment of license from Herald Publishing Company (Docket 6400) (Commisioner Durr not participating).

KXOX—Wendell Mayes (transferor), J. S. and Mittie Agnes McBeath (transferees), Sweetwater Radio, Inc. (licensee), Sweetwater, Texas.—Granted application for acquisition of control of Sweetwater Radio, Inc., licensee of Station KXOX, by J. S. McBeath and Mittie Agnes McBeath, by transfer of 50 per cent, or 75 shares, of outstanding capital stock from Wendell Mayes, for a consideration of $8,754.42. (B3-TC-420)

KTNM—Lester Q. Krasin and Otto A. Krutzner, d/b as Krasin and Krutzner Broadcasting Co. (assignor), Hoyt Houck, Robert D. Houck, Walter G. Russell and Lonnie J. Preston, d/b as Tucumcari Broadcasting Co. (assignee), Tucumcari, New Mexico.—Granted consent to voluntary assignment of license of Station KTNM from Krasin and Krutzner Broadcasting Company to Tucumcari Broadcasting Company for a consideration of $20,000. (B5-AL-449)

WEEU—Berks Broadcasting Co., Reading, Pa.—Adopted order granting petition requesting cancellation of hearing on application for renewal of license now scheduled for February 19, and granted renewal on a regular basis.

WLEU—WLEU Broadcasting Corp., Erie, Pa.—Adopted order sustaining the action taken by presiding officer of Motions Docket on February 1, denying the petition of WLEU for authority to intervene and enlarge the issues in the matter of the application of WERC, Presque Isle Broadcasting Co., Erie, Pa., for construction permit and license to cover same, and for authority to determine operating power by direct measurement.

KOIN—KOIN, Inc., Portland, Ore.—Granted construction permit to make changes in transmitting equipment. (B5-P-3845)

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Granted license to cover construction permit which authorized increase in power to 5 KW and changes in ground system, subject to the following conditions: (1) That all reasonable complaints arising from interference attributable to the high signal intensity of KCMO in the Kansas City area will be satisfactorily adjusted; (2) that when materials and personnel are available, applicant will file an application for a permit and make necessary provision for change in location of the KCMO transmitter to a site conforming to requirements of the Standards of Good Engineering Practice; (3) that the DA installed at that time will afford KTBS, Shreveport, La., the same projection as was previously provided just prior to commencement of operation with 5 KW power night, provided KTBS makes provision to afford KCMO protection to the 2.5 mv/m nighttime contour of that station; and (4) that the DA installed pursuant to (3) above will also restrict radiation in the direction of Sidney, Mont., to the same value as previously existed just prior to commencement of operation with 5 KW power night. Also granted authority to determine operating power by direct measurement. (B4-L-1842; B4-Z-1645)

George T. Morris, et al., d/b as Dublin Broadcasting Co., Dublin, Ga.—Granted license to cover construction permit for new station to operate on **1340 kc.**, 250 watts, unlimited time; also authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) that a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. (B3-L-1856; B3-Z-1660)

DESIGNATED FOR HEARING

WDSU—E. A. Stephens, Fred Weber, and H. G. Hall, d/b as Stephens Broadcasting Co., New Orleans, La.—Adopted an order designating for hearing to determine whether the licensees of station WDSU have violated Section 315 of the Communications Act.

LICENSE RENEWALS

The following stations were granted renewal of licenses (Comr. Durr not participating), for the period ending February 1, 1946:

KPOW, Powell, Wyo.; KRLH, Midland, Texas; KVEC, San Luis Obispo, Calif.; KYSM, Mankato, Minn.; WKBO, Harrisburg, Pa.

The following stations were granted renewals for the period ending February 1, 1948: KNOE, Monroe, La., and

KLPM, Minot, N. Dak., for the period ending November 1, 1947.

KGW—Oregonian Publishing Co., Portland, Ore.—Granted renewal of license for the regular period. Station has been operating under temporary license because of Multiple Ownership rule.

KEX—Westinghouse Radio Stations, Inc., Portland, Ore.—Granted renewal of license for the regular period. Station has been operating under temporary license because of Multiple Ownership rule.

WJAS—Pittsburgh Radio Supply House, Inc., Pittsburgh, Pa.—Granted renewal of license for the regular period. Station has been operating under temporary license because of Multiple Ownership rule.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted renewal of license for the regular period. Station has been operating under temporary license because of the Multiple Ownership rule.

WOWO—Westinghouse Radio Stations, Inc., Ft. Wayne, Ind.—Granted renewal of license for the regular period. Station has been operating under temporary license because of Multiple Ownership rule.

W9XUI—State University of Iowa, Iowa City, Iowa.—Granted renewal of experimental television broadcast station license for the period ending February 1, 1946, subject to the condition that the license is granted subject to changes in frequency assignment which may result from proceedings in Docket 6651.

KLO—Interstate Broadcasting Corp., Ogden, Utah.—Granted renewal of license (Comr. Durr not participating).

Renewal of licenses for the following Relay Broadcast Stations were granted:

KBSF, KEHV, KETV, KFJU, KRSA, KSFQ, The Associated Broadcasters, Inc., San Francisco; WBWB, Banks of the Wabash, Inc., Terre Haute, Ind.; WJAE, WJNO, Inc., W. Palm Beach, Fla.

The following applications for High Frequency (FM) broadcast stations, were placed in the pending file in accordance with Commission's policy of February 23, 1943:

Advocate Printing Co., Newark, Ohio; Burlington Broadcasting Co., Burlington, Iowa; The Messenger Publishing Co., Athens, Ohio; Miss. Valley Broadcasting Co., E. St. Louis, Ill.; The Wm. H. Block Co., Indianapolis, Ind.; Isle of Dreams Broadcasting Corp., Miami, Fla.; Commodore Broadcasting, Inc., Peoria, Ill.

WILM—Delaware Broadcasting Co., Wilmington, Dela.—Granted renewal of license of Station WILM for regular period. (B1-R-141)

WDEL—WDEL, Inc., Wilmington, Dela.—Granted renewal of license of Station WDEL for regular period. (B1-R-745)

KROW—KROW, Inc., Oakland, Calif.—Granted renewal of license of Station KROW for regular period. (B5-R-29)

KGCU—Mandan Radio Association, Mandan, N. Dak.—Granted renewal of license of Station KGCU for regular period. (B4-R-658)

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted renewal of license of Station WPEN for regular period. (B2-R-363)

WAIM—Wilton E. Hall, Anderson, S. C.—Granted renewal of license for period ending February 1, 1946 (Comr. Durr not particpating).

WRBL—The Columbus Broadcasting Co., Inc., Columbus, Ga.—Granted renewal of license for period ending February 1, 1946 (Comr. Durr not participating). (B3-R-727)

KABR—Aberdeen Broadcast Co., Aberdeen, S. Dak.—Granted renewal of license for period ending November 1, 1947.

KGNC—Plains Radio Broadcasting Co., Amarillo, Texas.—Granted renewal of license for period ending November 1, 1947. (B3-R-389)

MISCELLANEOUS

In response to a request by Cornell University, licensee of Station WHCU, Ithaca, New York, for special temporary authority to operate between 7:30 and 8 a. m. during February 1945, the Commission approved a letter advising the licensee that Section 3.87 of the Commission's rules permits its operation from 4 a. m. to local sunrise without the necessity of applying for special permission if the dominant station on the channel has agreed to such operation. In the instant case, the dominant station on this channel, WWL, licensed to Loyola University, New Orleans, La., appears to have consented to WHCU's operation during such time.

The Commission approved a letter to be sent American Radio Telephone Co., licensee of Station KXA, Seattle, Wash., advising that the license of KXA and the rules applicable do not permit simultaneous operation with WJZ under arrangements such as proposed. The Commission stated in its letter:

"Under the provisions of Section 3.23(b) of the Commission's Rules and Regulations, Station KXA is licensed to operate during daytime hours until local sunset, and in addition, during those nighttime hours when Station WJZ is off the air.

"It appears from the schedule which you have filed that after signing off at sunset, you intend to resume broadcasting each evening at 10 p. m. and continue until 12 midnight PWT, by virtue of an agreement with WJZ. Any simultaneous operation of KXA and WJZ during nighttime hours would not be consistent with the provisions of Section 3.23(b) and would not be within the scope of your existing license. Since an extension of your operating rights can only be permitted by Commission action, and not by contract with other licensees, you are advised that this operating schedule is invalid insofar as it purports to authorize KXA to operate after local sunset simultaneously with WJZ."

In response to many inquiries received by the Commission whether the oral argument to be held in the matter of Allocation of Frequencies (Docket No. 6651) will be confined to matters already in the record, or whether additional material may be introduced into the record at the time of the oral argument, the Commission announces that, in order that the Commission may have the fullest evidence before making a final decision, persons appearing at the oral argument may submit in the form of exhibits or testimony any additional relevant material that has been developed since the close of the hearing on November 2, 1944. Any such testimony or exhibits will be subject to cross-examination within the Commission's discretion if request therefor is made.

The following applications for non-commercial educational stations were placed in the pending file:

Board of Education, Sewanhaka High School, Floral Park, N. Y.; Stephens College, Columbia, Mo.

APPLICATIONS FILED AT FCC

590 Kilocycles

WFTC—Jonas Weiland, Kinston, N. Car.—Special service authorization to operate on **590 kc.**, with power of 250 watts day, and 100 watts night; AMENDED to request authority for the period ending April 1, 1945.

1010 Kilocycles

WINS—Hearst Radio, Inc., New York, N. Y.—License to use formerly licensed main transmitter (W.E. 304-A) as an auxiliary transmitter with power of 1 KW, employing directional antenna day and night.

1230 Kilocycles

KGHI—A. L. Chilton and Leonore H. Chilton, a partnership, d/b as KGHI Broadcasting Service, Little Rock, Ark.—Voluntary assignment of license to A. L. Chilton, Leonore H. Chilton, and S. C. Vinsonhaler, a partnership, d/b as KGHI Broadcasting Service.

1240 Kilocycles

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Modification of construction permit (B3-P-3596 for change in frequency) for extension of completion date.

1340 Kilocycles

NEW—The Brockway Company, South of Massena, New York—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—John M. Spottswood, Key West, Fla.—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

WBRW—McDowell Service Company, Welch, W. Va.—Transfer of control of licensee corporation from J. W. Blakely, Gladys H. Blakely and J. Read Werness to Joe G. Hunt, W. R. Keyser, Ellis Landreth, Clarence H. Frey and Robert O. Greever—100%.

1400 Kilocycles

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—License to cover construction permit (B5-P-3697) which authorized move of transmitter and studio and installation of new antenna and ground system.

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—Authority to determine operating power by direct measurement of antenna power.

1430 Kilocycles

WHEB—WHEB, Inc., Portsmouth, N. H.—Construction permit to change frequency from **750 kc.** to **1430 kc.**, change power and hours of operation from 1 KW limited time to 1 KW daytime and 250 watts nighttime, unlimited hours of operation.

1450 Kilocycles

WRIV—Thomas Garland Tinsley, Jr., Richmond, Va.—Modification of construction permit (B2-P-3644 for a new standard broadcast station) for approval of transmitting equipment.

WBBL—Grace Covenant Presbyterian Church (M. A. Sitton, Agent), Richmond, Va.—Modification of construction permit (B2-P-3638 for change in frequency, hours of operation, move, increase power and changes in equipment and antenna) for approval of transmitting equipment.

1490 Kilocycles

NEW—Gulf Broadcasting Co., Inc., Mobile, Ala.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts, and unlimited hours of operation; AMENDED re changes in corporated structure.

FM APPLICATIONS

NEW—The Valley Publishing Co., Harlingen, Texas—Construction permit for a new high frequency (FM) broadcast station to be operated on **44,500 kc.**, with coverage of 1,515 square miles.

NEW—Brownsville Herald Publishing Company, Brownsville, Texas—Construction permit for a new high frequency (FM) broadcast station to be operated on **46,500 kc.**, with coverage of 632 square miles.

NEW—Valley Evening Monitor, Inc., McAllen, Texas—Construction permit for a new high frequency (FM) broadcast station to be operated on **48,500 kc.**, with coverage of 908 square miles.

NEW—The Ohio Broadcasting Co., Marion, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **47,100 kc.**, with coverage of 2,882 square miles.

NEW—Dubuque Broadcasting Co., Dubuque, Iowa—Construction permit for a new high frequency (FM) broadcast station to be operated on **45,500 kc.**, with coverage of 7,900 square miles.

NEW—Warren N. Shingle, Lester L. Rice and Beverly B. Ballard, d/b as Sacramento Valley Broadcasters, Marysville, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43,300 kc.**, with coverage of 19,800 square miles.

MISCELLANEOUS APPLICATIONS

NEW—Debs Memorial Radio Fund, Inc., New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #17 (**282000-288000 kc.**) with ESR of 7400.

NEW—Sherron Metallic Corp., Brooklyn, N. Y.—Construction permit for a new experimental television broadcast station to be operated on Channels #6 to 18 (**96000-294000 kc.**), power of 10 KW.

NEW—Hearst Radio, Inc., Baltimore, Md.—Construction permit for a new commercial television broadcast station to be operated on Channel #6 (**96000-102000 kc.**), with ESR of 1800; AMENDED re change in antenna system.

NEW—Raytheon Manufacturing Co., New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on **44,000** to **50,000 kc.** (as specified in the proposed allocation), with ESR of 7600.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Economy Monument Company, 4145 West Kinzie Street, Chicago, are charged in a complaint with misrepresenting the durability, quality and composition of memorial monuments they sell in interstate commerce under the name "Granidur." The complaint also is directed against Nelson Friis, who formerly was sales manager for the copartnership. (5295)

Philip Shlansky & Bro., 500 Seventh Avenue, New York, is charged in a complaint with misrepresenting that women's coats and other garments composed of textile fabrics are made from the peltries or fur of fur-bearing animals. The copartners named as respondents in the complaint are Philip Shlansky, Lewis Shlansky, Bessie Shlansky, Ida Shlansky, Morris Shlansky and Selig Shlansky. (5274)

Spinnerin Yarn Co., et al.—A complaint alleging misbranding of wool products in violation of the Wool Products Labeling Act has been issued against Spinnerin Yarn Company, Inc., 230 Fifth Avenue, New York; and Energetic Worsted Corporation and Norr-Bridge Yarn Company, both of Bridgeport, Pa. Nor-Bridge Yarn Company is a copartnership composed of John J. Hosey, Jr., Edna M. McManus, Dorothy H. Cassel and Edna J. Hosey. (5280)

Wax Bros. & Rosenberg Dress Co. A complaint has been issued charging Wax Bros. & Rosenberg Dress Co., Inc., 808 Washington Avenue, St. Louis, a manufacturer of women's wearing apparel, with failing to disclose to purchasers that certain of its garments which resemble silk in texture and appearance are composed in whole or in part of rayon. (5276)

STIPULATION

During the past week the Commission has announced the following stipulation:

Chapman Wraps & Coat Company, Inc., 530 Seventh Avenue, New York, stipulated that it will discontinue misrepresenting the fiber content and properties of women's coats it manufactures from a fabric advertised as "Cohama Nylon Fleece." (3974)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Happy Hostess Candy Company, Inc., 615 South Peoria St., Chicago, and its president, Harry Rachlin, have been ordered to discontinue the use of lottery methods in the sale of candy products or other merchandise. (4842)

Mayo Brothers Vitamins, Inc., and its officers, Irby L. Mayo, Oran Frank F. Mayo and Paul T. Murry, 639 South Spring St., Los Angeles, have been ordered to cease and desist from disseminating false advertisements concerning the therapeutic properties of their "Mayo Bros." medicinal preparations, and from representing that they or their products are in any manner connected with the Mayo Clinic of Rochester, Minn. The preparations involved in the order are Mayo Bros. Vitamin B Complex, Mayo Bros. Vitamin B_1, and Mayo Bros. Family Formula. (5044)

Frank F. Woelfel, et al. An order prohibiting the use of unfair methods of competition and unfair and deceptive acts and practices has been issued against Frank F. Woelfel and Fred E. Willis, 806 West Washington Blvd., Chicago, and a group of other respondents associated with them in the interstate sale of colored photographic enlargements and miniatures and frames therefor. (4649)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 8, February 23, 1945

FCC SETS "CLEAR CHANNEL" HEARING

The Federal Communications Commission today ordered a general public hearing beginning May 9, 1945, to determine what changes, if any, should be made in the present policies on allocation of so-called "clear channels" in the standard radio broadcast band.

Since 1928, the Commission and its predecessor, the Federal Radio Commission, have set aside so-called clear radio channels for the use of one Class 1A station or a limited number of 1B stations to give a radio service over a wide area and with the particular aim of providing the rural population of the United States with a radio service.

A reexamination of present clear channel allocations is necessary since Commission studies reveal there are still large areas within the United States which receive *no* radio service at all during the daytime hours and no primary radio service at night.

The Commission has, moreover, received many applications for authority to operate additional stations on these clear channels and for authority to use power in excess of *50,000 watts*, maximum power now permitted a clear channel station under present Commission rules.

Radion station assignments on clear channels in this hemisphere are provided for by Treaty agreement and in the North American Regional Broadcasting Agreement of December 13, 1937. Since NARBA expires March 29, 1946, it is desirable to determine what if any changes are necessary in present clear channel assignments and what recommendation should be made to the Department of State prior to renegotiation of the Treaty.

Under existing FCC rules certain radio frequencies are allocated for exclusive or dominant use by one high-powered station and are defined as clear channels. A clear channel is defined as "one on which the dominant station or stations render service over wide areas and which are cleared of objectionable interference within their primary service areas and over all or a substantial portion of their secondary service area."

On these clear channels, Class I or II radio stations may be assigned. Class I-A channels—there are now 24—are reserved for exclusive nighttime use by only one domestic station, which must operate with 50 KW power. Class I-B channels—there are now 22—are generally allocable to more than one station nighttime, operating with power ranging from 10 to 50 kilowatts.

Class II stations are secondary stations which offer limited service on clear channels.

All persons wishing to testify or appear must notify the Commission before April 2.

KSTP BOWS TO PETRILLO

Minneapolis, February 16: After a controversy of eleven months duration Stanley E. Hubbard, President of Radio Station KSTP, acceded to the demands of the American Federation of Musicians, headed by James C. Petrillo.

Under the terms of contract signed early this morning, KSTP will employ in the Minneapolis studio a minimum of eight musicians, working twenty-two hours a week at a wage of $52.00 each. These eight musicians are in addition to those now employed by KSTP at St. Paul.

Mr. Hubbard had previously described these musicians as not needed in the operation of his station, and explained that his action was dictated by the fact that "Petrillo has demonstrated to the world that he has more power" than the National War Labor Board.

In New York Mr. Petrillo described the contract as an "important victory" for the Union, but declined further comment. The union official made no secret of his satisfaction over the outcome of the bitter controversy.

In the course of the dispute William Green, President of the American Federation of Labor, had sought unsuccessfully to have Mr. Petrillo modify his position, and a local court had issued a warrant for Mr. Petrillo's arrest if he ever came to Minneapolis.

Mr. Hubbard issued the following statement in connection with the matter:

"We have been fighting for a fundamental American principle but that after all these months it has been made clear to us that the Government is unable to assist us." He continued:

"We have sought justice through the proper legal and administrative channels afforded us—the State Labor Conciliator, the Federal Labor Conciliator, the Regional War Labor Board and the National War Labor Board—and we have had unqualified decisions from every one of these agencies but to no avail, because Petrillo has demonstrated to the world that he has more power than all of them.

"The American public and the working men and women of America, as well as the majority of the unions, have told us that they are with us in this fight, but in these eleven months the Government has done nothing to force Petrillo to change his demands and methods.

Bows to "Forcing" Employment

"As long as matters are as they are at present, we had no alternative but to at least temporarily accept the situation. We therefore have capitulated and today signed a contract with his union acceding to his demands that we employ men under contract regardless of whether or not we need them.

"If the Petrillo system of forcing an employer to contract for men he does not need, and to pay royalties directly to the union because union members are employed in the manufacture of his commodity (a provision in the recent contract signed with record companies) is adopted by other unions, it means the finish of American business.

"We fully recognize the reasonable rights of labor and by the same token labor should recognize the problems and rights of management.

"The difficulty which exists today in our country is that labor and management cannot deal on a parity. The remedy to this situation lies in the hands of the legislative branch of our government, and that is where immediate relief should be worked out."

PETRILLO TO BE CURBED, SAYS SENATOR BALL

The KSTP case evoked the following comment as published in the *Washington Post*, February 18:

(Continued on page 66)

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N.W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations;* Lewis H. Avery, *Director of Broadcast Advertising;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Arthur C. Stringer, *Director of Promotion;* John Morgan Davis, *General Counsel.*

PETRILLO TO BE CURBED, SAYS SENATOR BALL

(Continued from page 65)

"Senator Joseph H. Ball (R., Minn.) predicted last night that Congress eventually would find it necessary to curb the 'arbitrary activities' of Joseph C. Petrillo, president of the American Federation of Musicians.

"Sooner or later the arbitrary activities of Petrillo will have to be curbed," Senator Ball said when he was informed that Stanley E. Hubbard, president of radio station KSTP at Minneapolis, protestingly had signed what Hubbard described an onerous contract with Petrillo's AFL Musicians' Union.

"It is too bad," Ball said, "that Hubbard felt that he had to capitulate. It sets a bad precedent."

BROADCASTERS TO HEAR PORTER

As a part of the meeting of the Virginia, West Virginia and District of Columbia broadcasters, to be held at the Hotel Statler in Washington, Monday, Tuesday, March 12-13, FCC Chairman Paul A. Porter will be the guest and principal speaker at a dinner to be held on Monday night.

Mr. Porter will take as his subject "Broadcasting of Tomorrow." The guests from outside of Washington are limited strictly to those who have pre-registered to attend the District meeting. This has been made necessary in order to comply with the government policy limiting outside attendance to less than 50.

Representatives of Washington stations, together with members of the Senate and House Interstate Commerce Committees have been invited. Invitations likewise have been extended to Vice President Truman, Speaker Rayburn and majority and minority leaders of both the House and Senate, as well as members and top administrative personnel of the FCC. The dinner will be under the auspices of the 4th District and of Washington radio stations. Campbell Arnoux, NAB 4th District Director, will preside and Harold Ryan, NAB President, will act as toastmaster.

NO BMB BULLETIN THIS WEEK

BMB President Hugh Feltis is busily engaged this week in internal organization matters, the appointment of committees, selection of headquarters, etc. Until all of these internal arrangements are completed nothing of any particular interest suggests itself as a topic for a bulletin. However, another BMB Bulletin will be forthcoming next week.

AWD SPONSORED MEETING SUCCESSFUL

Sponsored by the Association of Women Directors of the National Association of Broadcasters, the second annual campaign of the "Women of the United Nations" was successfully launched at a luncheon in New York on Saturday 17th.

The program of the morning session started off with a business meeting. Following this outstanding speakers and women commentators carried out the following program:

Theme—"Woman of the United Nations"
Presiding—Ruth Chilton, President, Association of Women Directors
Distinguished Speakers (10 minutes each)
"Neighboring by Radio"—Miss Elizabeth Long, Director of Women's Activities, Canadian Broadcasting Corp.
"Women of the Americas"—Miss Mary M. Cannon, United States Representative Inter-American Commission of Women
"The Task of Sharing"—Dr. Frank Munk, Czechoslovakia, Director of Overseas Training Center, UNRRA
"Babies, Bullets, Ballots"—Mrs. William Dick Sporborg, National Chairman on International Affairs, General Federation of Women's Clubs
"Radio's Strategic Role in War and Peace"—Col. Edward M. Kirby, Chief, Radio Branch, Bureau of Public Relations, War Department
"I Knew Your Soldier"—Mrs. Eleanor Stevenson, Author
Panel Discussion by Well Known Women Broadcasters
Chairman—Ruth Chilton, WCAU, Philadelphia, Pa.

Panel Participants

Alma Kitchell, Blue Network and WJZ
Mary Margaret McBride, WEAF
Bessie Beatty, Mutual Network and WOR
Ruth Crane, WMAL, Washington, D. C.
Mildred Bailey, WTAG, Worcester, Mass.
Helen Sioussat, Columbia Broadcasting System
Jane Wagner, Inter-American University of the Air, National Broadcasting Company
Hazel Cowles, WHAM, Rochester, N. Y.
Ruth Welles, KYW, Philadelphia, Pa.
Nell Daugherty, WSRR, Stamford, Conn.
Estelle Sternberger, WLIB, Brooklyn, N. Y.

The noon luncheon found Dorothy Lewis, NAB Coordinator of Listener Activities presiding. Ruth Chilton, AWD President, made a presentation of an AWD award to Mrs. Franklin Delano Roosevelt, following which Mrs. Roosevelt responded with appropriate remarks. The remainder of the luncheon program follows:

Greeting—Mme. Henri Bonnet, Wife of the French Ambassador
Music—Russian Folk Song—"Ananis"
Song of the United Nations—Shostakovitch
Mr. Sidor Belarsky, Distinguished Russian Basso
Address—"Time for Leadership"—Hon. Emily Taft Douglas, Member-at-large, House of Representatives
Music—Spiritual—"Wasn't It a Wide River"
Aria—"Coucou" from "Queen of Spades"—Tchaikovsky
Miss Portia White, Distinguished Canadian Contralto
Address—"Canadian Women on the March"—Mrs. Edgar D. Hardy, President, National Council of Women of Canada
Address—Mr. Charles P. Taft, Office of Wartime Economic Affairs, Department of State
Tribute to Women Broadcasters for Wartime Services—War Administration—Miss Anne Hagen

From 3:00 to 3:45 p. m. there was an international broadcast carried in the United States over CBS and throughout Canada over the facilities of CBC, in which Mrs. Roosevelt and Her Majesty, Queen Wilhelmina of the Netherlands participated. A rebroadcast of this program was made to all overseas stations through the courtesy of the Office of War Information.

The following distinguished guests attended the luncheon and many of the sessions:

International Representatives

Madame Henri Bonnet—France
Madame A. Loudon—Netherlands
Madame Georg Bech—Denmark
Madame Wei Tao-ming—China
Madame Hugues La Gallais—Luxemburg
Madame Jan Papanek—Czechoslovakia
Miss Agnes McCloskey—Canada
Miss Mary Cannon—United States—U. S. Delegate of the Inter-American Commission of Women
Sra. Carmen B. de Lozada—Bolivia—Bolivian Delegate to Inter-American Commission of Women
Mrs. Vera Jordao Pacheco—Brazil—Writer and Newspaper woman
Mrs. Kitty Boshell d'Botero—Colombia
Miss Ana Maria Berlanga—Mexico
Miss Josefina Tarafa—Cuba
Mrs. Mayrink Viega—Dominican Republic
Mrs. Pilar Hildago Lim—Philippines
Miss Cecily Hastings—Acting British Consul
Mrs. Oscar Gavrilovitch—Yugoslavia

National Leaders

Mrs. Lula Bachman, President, National Association of Women Lawyers
Mrs. William A. Becker, National Society, Daughters of the American Revolution
Mrs. Jeannetta Welch Brown, National Council of Colored Women
Mrs. LaFell Dickinson, President, General Federation of Women's Clubs
Mrs. Ellen O'Gorman Duffy, National Conference of Christians and Jews
Mrs. E. Wesley Frost, President, National Garden Clubs
Mrs. Guy Patterson Ganett, President, National Federation of Music Clubs
Mrs. Charles B. Gilbert, President, American Legion Auxiliary
Mrs. Clifford Thompson, Vice President, National Congress of Parents and Teachers
Mrs. Joseph E. Goodbar, Radio Chairman, National Federation of Press Women
Mrs. Ruth A. Handy, President, National Federation of Negro Business and Professional Women
Mrs. Edgar B. Hardy, President, National Council of Women of Canada
Mrs. Henry Ingraham, President, National Board of YWCAs
Mrs. Esther Johnston, American Library Association
Prof. Dora S. Lewis, President, American Home Economics Association
Miss Frances Maule, National Business and Professional Women's Clubs
Mrs. Valentine E. Macy, National Girl Scouts, Inc.
Mrs. Harold V. Milligan, President, National Council of Women of the U. S.
Miss Sophie Okun, Camp Fire Girls
Dr. Helen Dwight Reid, American Association of University Women
Mrs. Harper Sibley, President, United Council of Church Women
Mr. Theodore Simpson, American Institute of Decorators
Mrs. Roy C. F. Weagley, President, Associated Women of the American Farm Bureau Federation
Mrs. Norman deR. Whitehouse, President, Women's Action Committee
Mrs. Joseph Welt, President, National Council of Jewish Women
Miss Charl Williams, National Education Association

Radio Executives

Brig. General David Sarnoff, President, Radio Corp. of America
Mr. Paul Kesten, Executive Vice President, Columbia Broadcasting System
Mr. Mark Woods, President, American Broadcasting Co.
Mr. Edgar Kobak, President, Mutual Broadcasting Co.
Mr. Paul Porter, FCC, Chairman

The purpose of the "Women of the United Nations" campaign and its procedure was announced as follows:

Purposes:

To develop understanding among women of the world.
To meet returned veterans' enlarged horizons.
To share mutual experience and encourage a respect for differences.
To build a foundation for a lasting peace.

Procedure:

This is AWD's second editorial campaign. Through its membership of 700 women broadcasters of local stations from coast to coast, women listeners will be reached every day with variations of the theme, "Women of the United Nations." Special material in the form of spot announcements has been prepared by the United Nations Information Office and the Office of Coordinator of Inter-American Affairs. In addition, series of spot announcements have been submitted by 30 national groups, with Mrs. Luella S. Laudin, Radio Chairman for the General Federation of Women's Clubs, acting as editor.

Recipes and recommended music of the United Nations will accompany the prepared material.

In 70 key cities, an AWD member will serve as Local Coordinator for local integration of the plan. She is provided with a "Blueprint" which calls for close cooperation with civic, club and educational leaders in each community. Where unusual interest is developed, various United Nations will beam special messages to the local programs of our women broadcasters. Mildred Bailey, WTAG, Worcester, Mass., has greatly aided in the preparation of the "Blueprint."

Request has been received for the campaign material from women broadcasters of other countries.

Participating national organizations included the following:

Participating National Organizations

American Home Economics Association
American Institute of Decorators
American Legion Auxiliary
American Library Association
Associated Women of the American Farm Bureau Federation
American Association of University Women
Camp Fire Girls, Inc.
General Federation of Women's Clubs
Girl Scouts, Inc.
National Association of Women Lawyers
National Business and Professional Women's Clubs
National Conference of Christians and Jews
National Congress of Parents and Teachers
National Board of Young Women's Christian Ass'n.
National Council of Jewish Women
National Council of Negro Women
National Council of Women
National Council of Women of Canada
National Council of State Garden Clubs
National Federation of Music Clubs
National Federation of Negro Business and Professional Women
National Federation of Press Women
National League of Women Voters
National Music Council
National Society, Daughters of the American Revolution
National Society of New England Women
Pan Pacific Association
United Council of Church Women
Women's Action Committee for Victory and Lasting Peace

The reaction to this brilliant affair, termed by many as one of the most outstanding programs in radio history, has come from many sources. In her column, "My Day", Mrs. Roosevelt comments as follows:

"On Saturday I went to the meeting of the National Association of Broadcasters. The women broadcasters have a very great opportunity to accomplish an educational job for the country, which no other group could possibly do. As Miss Dorothy Lewis, chairman of the meeting, pointed out, they speak to millions of women every day. No one else has that close contact. Theirs is the friendly voice which women come to know and trust—a visitor in the home telling us something of the outside world.

It is a great responsibility to have this power, but I felt very proud that women seem willing to accept the responsibility and planned to do a really fine job promoting international understanding."

* * *

"I was very much touched and deeply honored at being presented with their first award. I know quite well, of course, that nothing I do could be looked upon as a personal achievement, since I simply happen to be in a position where great opportunities are offered me and where circumstances make it possible for what I do to be helpful.

"As I looked at the long table filled with representative women from other countries, and below us at the wonderful women who head up our national women's organizations, I realized that no one woman in this country could consider that she had accomplished anything of which she could be individually proud. The women of the United States as a whole make it possible for women to have great opportunities and to achieve greater things as women, for women, as the years roll by."

Telegrams of commendation were received in large numbers. From among others they came from Paul Porter, FCC Chairman; Brig. General David Sarnoff, RCA President; Paul Kesten, CBS Executive Vice President and national leaders of many groups.

A book of spot announcements has been prepared for all AWD members containing authoritative source material. The campaign will cover a period of four months and AWD members in 80 cities will tie-in with all local, civic club, and educational groups.

RADIO
1920 - 1945
XXV

PUBLIC RELATIONS COMMITTEE EXPANDS ANNIVERSARY PLANS

Following the report and review of Radio's Twenty-Fifth Anniversary activities to date, the NAB Public Relations Committee in Washington Tuesday and Wednesday of this week expanded plans for observing Radio's Silver Anniversary throughout 1945.

Detailed suggestions were outlined under the heading of advertising, publicity, promotion, programming—sustaining and commercial—and public relations.

The report of the Committee on Network Participation was read and discussed. The network committee met in New York February 16.

All activities are dominated by the industry's "Pledge to Victory!"

"Management in the Public Interest"

Final proofs of the 120-page book, "Management in the Public Interest," were viewed by the Committee, which ordered its printing at once and discussed methods of distribution inside and outside the industry. Work is to begin soon on a similar volume entitled "Radio in the War."

Listener Activity

Dorothy Lewis, NAB Coordinator of Listener Activity, reported on the activities of her department, highlighted by the February 17 New York City meeting, "Women of the United Nations," 1945 broadcast project of the NAB Association of Women Directors.

Entire Field Covered

Radio's entire field of public relations was given thorough discussion and a number of recommendations prepared which will be presented to the NAB Board of Directors when John Patt, WGAR, Committee chairman, reports on February 27. Those in attendance were: John F. Patt, WGAR. Cleveland, Ohio, Chairman; Edgar L. Bill, WMBD, Peoria, Ill.; George Crandall, CBS, New York, N. Y.; Michael R. Hanna, WHCU, Ithaca, N. Y.; Craig Lawrence, WHOM, New York, N. Y.; Leslie W. Joy, KYW, Philadelphia, Pa.; Karl O. Wyler, KTSM. El Paso, Texas; J. Harold Ryan, President, NAB; Dorothy Lewis, Coordinator of Listener Activity, NAB; and Willard D. Egolf, Director of Public Relations, NAB.

Lew Weiss, Don Lee Network, was kept away because of business and Harry Kopt, NBC, Chicago, was absent because of the death of his brother in El Paso, Texas.

CODE COMMITTEE MEETS IN WASHINGTON THIS WEEK

The NAB Code Committee meets in Washington Thursday and Friday, February 22 and 23.

All members of the Committee will be present except Felix Hinkle, WHBC. who was compelled to cancel reservations at the last moment.

Possible revisions of the NAB Code will be discussed and reported to the NAB Board of Directors on February 28.

3RD DISTRICT MEETING

At the concluding session of the two-day meeting of the Third District in Pittsburgh on February 15 and 16, George D. Coleman of WGBI, Scranton, was elected unanimously to serve a two-year term as director of the district. Mr. Coleman's term will begin with the end of the 1945 membership meeting, or at such other time as the NAB Board of Directors may designate, in case no annual membership meeting is held this year.

Again in Pittsburgh, in the absence of J. Harold Ryan, NAB President, at the annual convention of the Canadian Association of Broadcasters, C. E. Arney, Jr., NAB Secretary-Treasurer, presented the report of association activities, touching on labor, legislation, music and manpower problems. At luncheon on the opening day. Lloyal D. Odner, Managing Director of the Pennsylvanian Chain Store Council, spoke on "The Agricultural Situation." He urged radio stations to create and broadcast regular programs specifically designed to appeal to and serve the rural audience.

Following the presentation of the Broadcast Measurement Bureau plan by Hugh M. Feltis, BMB President, and Roger Clipp of WFIL, BMB Secretary-Treasurer, David E. Robinson, Director of Research at Pedlar & Ryan, Inc., and a member of the BMB Board, spoke of the need for the uniform method of determining station curculation contemplated under the BMB plan, and urged all broadcasters present to subscribe to the project.

During the two-day sessions, various committee reports were presented, including one for the Public Relations Committee by Mr. Coleman, District Chairman; another for the Program Managers Committee of which Fred Joyner of WWSW is District Chairman, and a third by the Engineering Committee with T. C. Kenney of KDKA as District Chairman.

The morning of the second day was devoted to the Small Market Stations Panel at which David Rosenblum of WISR, member of the NAB Small Market Stations Committee, presided. This was followed by the Sales Managers Clinic under the chairmanship of Tom Price of WWSW, District Chairman of the Sales Managers Committee.

District Director Roy F. Thompson of WFBG, who arranged the two-day meeting, was honored in the first of three resolutions adopted unanimously by the broadcasters at the closing session. These resolutions included:

WHEREAS the broadcasters of the Pittsburgh area were hosts for the second time in two years, therefore

BE IT RESOLVED that the members of the Third District of NAB express their appreciation to the hosts for a splendid meeting and their fine western hospitality.

WHEREAS Roy Thompson has served as NAB Director for the Third District for two years, therefore

BE IT RESOLVED that a vote of appreciation be extended to him for his splendid service.

WHEREAS the NAB has caused to be formed the Broadcast Measurement Bureau, therefore

BE IT RESOLVED that the members of the Third District command the NAB said Broadcast Measurement Bureau, and

BE IT FURTHER RESOLVED that members of the Third District of NAB lend every support to its success.

WHEREAS much time and effort have been expended by members of the NAB staff to properly present the various phases of the industry's problems, therefore

BE IT RESOLVED that the appreciation of the Third District NAB members be extended to those participating.

WHEREAS a new director for the Third NAB District has been elected, therefore

BE IT RESOLVED that the members of the said Third NAB District give their continued support to the new director during his term in office.

RADIO AT WAR

The *South Bay Breeze*, Redondo Beach, Calif., recently published the following tribute to radio:

"Recent references to Japanese efforts to kill the effect of radio announcements beamed to the populace of Japanese cities, directs attention to radio's part in the invasion of Hirohito's empire. All the while the air waves are carrying messages of encouragement to our own fighting men and warnings to the Japanese.

"Probably the greatest contribution which the Pacific broadcasts are making are the least dramatic. They are even commonplace, designed to keep our soldiers in touch with their home communities. These are regarded as of more service than oratorial pep-talks, the blare of martial music and the din of rallies on the home-front.

"The sensational and noisy broadcasts are not without effect on natives who are unacquainted with American life. They give stimulation to the longing of islanders who are hoping to be rid of Japanese masters. American martial music has a message for oppressed peoples everywhere.

"Japanese officials in the Philippines appreciate what American broadcasters are doing to their hold in invaded territory. Repeatedly, they have issued orders forbidding the possession of radio sets, other than those attuned only to Tokyo."

An earlier story on this same subject will be found in NAB REPORTS, Vol. XIII, p. 4.

PROGRAM MATERIAL

An editorial from the *Times*, Chester, Pa., offers interesting comment on "waste paper" collection:

"The idea won't work in Chester if we spread the story too widely, but it's one of those interesting yarns that are worth the telling, and maybe using.

"It seems that Lee Little, of Radio Station KTUC, the Columbia Broadcasting outlet in Tucson, Ariz., was dissatisfied with the progress of the city's paper salvage campaign. Making arrangements with the city fathers, he placed big bins at strategic points throughout the city and got a sign painter to letter them with foot-high words—"Waist Paper." He then went on the air and told the radio audience to get busy and fill the bins.

"Immediately there came a barrage of telephone calls, telegrams and personal visitations charging the salvage committee with criminal spelling. An Army man said it was shameful in a cultural center housing the University of Arizona. A foreign refugee said it was a 'sign of moral deterioration.' Tucson teachers wanted to know how they could get anywhere with Tucson's children when the City Fathers didn't know how to spell a simple, one-syllable word.

"Net result was: Sixty per cent more waste paper was collected than in any other campaign in Tucson history!"

NAB-RTPB PANEL 4 BRIEFS FILED

The National Association of Broadcasters and Panel 4 on Standard Broadcasting of the RTPB on Wednesday (21) filed separate briefs in connection with the FCC hearing on allocations.

The NAB brief stressed the importance of the allocation of sufficient wave lengths in the entire spectrum for exclusive use of commercial broadcasting to enable its performance of an expanded public service. It pointed out that such allocation was essential to the continued development of broadcasting consistent with the American ideal. No representations of any kind were made with respect to the type of broadcasting to which the various channels should be assigned.

The RTPB brief dealt largely with the subject of relay broadcasting and the provision of adequate channels to assure the continued efficient operation and expansion of this service.

Other briefs filed in connection with these hearings will be carefully digested and pertinent material relating to broadcasting will be published in subsequent issues of the REPORTS.

The NAB and Panel 4 (RTPB) briefs follow in full:

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C.
Docket No. 6651

IN THE MATTER OF:

Allocation of Frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles.

The National Association of Broadcasters respectfully submits this Memorandum Brief in the above entitled matter in an endeavor to assist the Commission in reaching a fair and equitable determination of the issues involved.

I

Report of Proposed Allocation of 25,000 to 30,000,000 Kilocycles, Docket 6651

Upon consideration of the conflicting demands for radio spectrum space made by a variety of radio services, it is obvious that the Commission has dealt justly with the radio broadcasting industry in terms of total spectrum space available. Insofar as it is practicable, the Commission has recognized, generally, the requirements of broadcasting presented at the Allocation Hearings of 1944 by the President of the National Association of Broadcasters. The importance of radio broadcasting is recognized. The balances drawn between broadcasting and the competitive demands for spectrum space by other important radio services appear to be fair.

The proposed allocation is basically sound, so far as the broadcasting industry is concerned, since the industry is given, generally speaking, opportunity to develop and expand into new fields. Consequently, the National Association of Broadcasters endorses the allocation in principle on a broad basis, but differs therewith in certain particulars which will be discussed later in this Brief.

It is well known that there are differences of opinion between various groups within the broadcasting industry as to the position in the spectrum which should be allocated for frequency modulation, television and facsimile broadcasting. In view of this lack of unanimous thought and the recognition of its existence by this Commission, the National Association of Broadcasters assumes that the Commission will give proper weight to the technical and economic evidence submitted which relates to this important phase of the allocation. It is assumed that if the Commission, in the opinion of any group within the broadcasting industry, has given improper weight in its Report of January 16, 1945, to any important evidence, these questions will be raised and discussed at the oral argument before the Commission by those in the industry who are experienced in those phases of the problem.

While the broadcasting industry desires operation free of co-channel interference, we know that the Commission, realizing its responsibility in decisions which arise out of a choice between interference-free operation and practical receiver and transmitter design or out of compromises in engineering because of economics or policy, will render its final decision after giving proper weight and balance to all of the factors involved.

II

Frequency Modulation (FM) Broadcasting

It is proposed that frequency modulation broadcasting be moved from its 42-50 megacycle space in the spectrum up to 84-102 megacycle space. The Commission proposes this change after having considered evidence with respect to co-channel interference between FM stations operating in various portions of the spectrum between 40 and 108 megacycles. Much of the evidence so considered is generally new to both the broadcasters and the radio manufacturer. Many have not experienced co-channel interference in the present FM frequency bands and no FM broadcaster has had operating experience in the band between 78 and 108 megacycles.

However, it is clear that the Commission has evidence of the probability of co-channel interference in the lower frequency range, and, likewise, has knowledge of the propagation qualities of the higher frequencies. On this basis, the Commission proposed the band from 84 to 102 megacycles for the immediate use of FM broadcasting and made possible the use of the entire frequency band from 78 to 108 megacycles by FM, should future need require it. It is apparent, from the standpoint of the total number of channels, that this potential allocation is very favorable to FM broadcasting. However, there is strong disagreement among broadcasters as to the place in the spectrum most advantageous for the development of FM. Some favor the higher frequencies, while others prefer the lower frequencies. The National Association of Broadcasters, at this time, has no evidence to offer in support of either allocation and there is insufficient time to secure data of our own to submit to the Commission. Consequently, it is not possible for the National Association of Broadcasters to either endorse or oppose this phase of the allocation and it is respectfully requested that the Commission give additional attention to the data which may be submitted by the advocates of both the lower and higher frequency allocations.

III

Facsimile

The Commission has allocated separate spectrum space, between 470 and 480 megacycles, for facsimile broadcasting, together with a provision for simplex facsimile on the regular FM channels. The Commission does not believe that multiplexing of audio and facsimile should be permitted on the FM broadcast channels "except on a limited or experimental basis until a system can be demonstrated whereby both the sound and facsimile material can be transmitted and received on the one channel without degradation to either of the transmissions and without requiring the use of filters or other devices which would increase the cost or complexity of receivers for use in an area by those not desiring to receive facsimile". (FCC Report on Allocations, page 147.)

In view of the present state of development in facsimile broadcasting, it appears that the Commission's decision with reference to facsimile broadcast allocation is just and reasonable.

IV

Television

The Commission has allocated only 12 channels to television broadcasting below 300 megacycles which reduces by 6 the number of channels presently allocated. It is respectfully submitted that the allocation of only 12 channels would make impossible a nation-wide television broadcast service on a widely competitive basis. It is easily apparent that one of the factors which brought about this reduction was the fact that the Commission was impelled to give most serious consideration to the requirements of necessary radio services other than broadcasting in this portion of the spectrum. It appears unreasonable to expect that the Commission would substitute television broadcasting for all of the aviation and government radio services now operating in the spectrum below 300 megacycles. Since television, therefore, cannot be allocated sufficient space below 300 megacycles to make possible a broadly competitive service on a national scale, it seems inevitable that the allocation of television must include channels in the higher portions of the radio spectrum. Consequently, we deem it most logical that the Commission has provided adequate space in the spectrum above 400 megacycles for television broadcasting to develop, improve and expand. Therefore, the few channels which have been allocated to television below 300 megacycles must be considered as being most useful pending the development of television above 400 megacycles and, in view of the circumstances, it would seem that the Commission has provided adequately for television broadcasting at this time.

However, the allocation for television broadcasting below 300 megacycles cannot be considered ideal from the standpoint of television alone. This is due to the fact that the Commission split the bands allocated to television by allocating the 84 to 102 megacycle band to FM broadcasting and the 108 to 180 megacycle band to services other than broadcasting. We realize that the Commission has endeavored to reach a reasonable compromise between FM and television broadcasting and has evidently balanced the possibility that the ultimate television operation would be on operating frequencies above 400 megacycles against the possibility that FM broadcasting assigned permanently to frequencies below 60 megacycles might be unsatisfactory to the public from an interference standpoint.

We realize that there are involved in this television decision basic questions of public interest in which the weight given to evidence of a technical character, as well as the weight which should be given to the requirements of the government and aviation radio services, are paramount factors. Inasmuch as we cannot, at this time, produce with unanimity conclusive technical evidence in support of objections to the television allocations, we request that our observations thereon be kept in mind by the Commission in reviewing the evidence submitted by the various parties appearing before it in this matter.

V

Regulatory Aspects As to Frequency Modulation Broadcasting

We respectfully call your attention to Ehibit A which is an extract from that part of the Commission Report which relates to FM broadcasting. It seems apparent from the language contained in this part of the Report that some existing broadcasters in the congested areas of the country may be handicapped or even prevented from entering new fields of broadcasting because the Commission desires to give preference to "newcomers." Thereunder the Commission would reserve 20 of the 70 channels allocated to commercial broadcasting for "later applicants", with 50 FM channels to be available for assignment both to present licensees and to "newcomers" in the radio field. Assuming that only a portion of the 50 channels could be assigned to applicants in an area such as the New York metropolitan district, it would appear possible and likely that some of the existing broadcasters in that area would be denied an FM channel merely because of the Commission's apparent preference for "newcomers." If an existing broadcaster is forced to face radio competition without being permitted by the Government to keep abreast of progress, it seems obvious that the continued operation of his existing broadcasting station must be at an increasing economic risk. Ultimately, he might be forced out of the radio business because of his inability to compete on an equitable basis, regardless of his desire to further provide for the area in which he has been supplying a broadcasting service.

The National Association of Broadcasters welcomes "newcomers" into the field of broadcasting and does not oppose regulatory measures which encourage or stimulate competition, providing such measures are on an equitable basis. However, any regulatory action which prevents or handicaps anyone, including existing broadcasters, from keeping abreast of progress within the industry is obviously unsound regulation. Certainly, the Commission does not intend to force existing broadcasters out of business and, consequently, it appears desirable that the Commission clarify this phase of its Report. In this clarification, the attention of the Commission is respectfully called to the fact that it has provided for future expansion in the number of licensees by making possible additional allocations of radio frequency spectrum space to FM broadcasting between 78 and 84 megacycles and between 102 and 108 megacycles when and if required by future expansion. It, therefore, appears unwise to provide for possible "newcomers" at the expense of the orderly expansion and progress of the broadcasting industry and would not appear to serve the public interest.

VI

Regulatory Aspects As to Subscription Radio

The Commission has made the following statement with respect to subscription radio service: (F.C.C. Report on Allocations, Page 74.)

"No specific portion of the spectrum is being allocated for a subscription radio service which was advocated by one witness (Weiner, Tr. 1371-1412). The Commission does not have sufficient information to determine whether or not stations should be licensed for this type of service. If this service proves feasible and the Commission decides to license stations of this type, applicants will be permitted to apply for channels in the regular FM commercial band or in such other band or bands as the Commission may later designate."

The National Association of Broadcasters does not object to competition from the subscription type of radio service. On the contrary, we are confident of the ability of the broadcasting industry, as presently constituted, to compete on a program basis with such a service. Consequently, we have no objections to the allocation of frequencies to the multiple address subscription radio service, providing such service is allocated a part of the radio frequency spectrum in a manner which will not handicap the expansion or development of FM broadcasting. We cannot believe that the public interest is served by the composite allocation of channels to broadcasting and the multiple address subscription radio service. Consequently, we strongly urge that the assignment of FM broadcast channels to a multiple address subscription radio service, as may be implied from the Report of the Commission is improper for the following reasons: (1) such an assignment might conceivably reduce the number of channels available to FM broadcasting, thus handicapping its logical development toward the objective of free competition among broadcasters; (2) an ordinary FM receiver, when tuned to an emission from a subscription type of radio service, produces programs in the loud speaker which are marred by a "squeal" similar in sound to the ill-famed heterodyne interference of the early days of standard broadcasting. Consequently if high quality interference-free FM broadcast channels are interdispersed with channels for subscription radio service, there will be an unwise mixture on the regular FM receiver dial of high quality channels with channels on which the quality is marred. This would result in confusion in the minds of the listeners and would lower the public estimate of the FM service which has been extensively publicized as a high fidelity, interference-free broadcast service.

Therefore, we earnestly urge the Commission to assign a separate portion of the spectrum to such multiple address subscription radio service if the Commission determines this proposed service to be in the public interest and decides to license stations of this type. This would permit both FM broadcasting and the subscription radio service to stand on their own feet in their competition for public favor. Moreover, such an allocation would separate logically those licensees who have the responsibility of serving the entire public from those licensees who would serve only that part of the public which desires, and is financially able, to pay directly by subscription for their program services.

Inasmuch as the Commission has not yet allocated any FM broadcast channels to subscription radio service, some may question whether any form of suggested objections at this time is opportune. On the other hand, it appears appropriate at this time to state to the Commission that FM broadcasting and multiple address subscription radio should not utilize frequencies in precisely the same portion of the radio spectrum; and to urge that if multiple address subscription radio service is to be recognized in the future by the Commission, the radio spectrum space allocated to such subscription radio service should be different from that allocated to FM broadcasting so as to provide for a logical expansion of FM broadcasting and avoid the compulsory design and manufacture of receivers embracing both FM broadcasting and multiple address subscription radio.

VII

Relay Broadcasting

The proposal of the Commission to allocate 22 shared channels between 25 and 28 megacycles for relay broadcasting, instead of the 16 exclusive channels now allocated between 30 and 40 megacycles, appears to be inadequate. It should be clearly kept in mind that the proposal for these channels to be shared with other services, some of which are competitive to relay broadcasting will require the use of the channels at certain times to conflict. This makes the proposed allocation one of questionable value for the intended use. Consequently, this proposal should be reconsidered.

We also strongly urge the Commission to review, at this time, its proposal to allocate only 4 channels in that portion of the spectrum from 156 to 162 megacycles. Experience indicates that frequencies in this spectrum range are most valuable for the so-called "walkie-talkie" relay use.

The National Association of Broadcasters respectfully invites the Commission's attention to the Brief on this subject to be filed by Panel 4 of the Radio Technical Planning Board and urges that the recommendations contained therein be given every possible consideration.

VIII

Conclusion

In summation, the National Association of Broadcasters submits that the proposed allocations are basically sound, but asks further consideration of the following as presently proposed:

(1) The allocation for frequency modulation broadcasting;

(2) The allocation for television broadcasting;

(3) The reservation of 20 FM channels allocated to commercial broadcasting for late "newcomers";

(4) The possible assignment of subscription radio service to channels allocated to frequency modulation broadcasting;

(5) The allocation of frequencies for Relay Broadcasting.

We urge that this consideration be given on the basis of evidence presented to the Commission during its Allocation Hearings of 1944 and which may be submitted at the oral argument to be held in this matter.

Respectfully submitted,

THE NATIONAL ASSOCIATION OF BROADCASTERS

By JOHN MORGAN DAVIS
General Counsel.

EXHIBIT A

Extract from Pages 74 and 75 of F.C.C. Report of Proposed Allocation from 25,000 Kilocycles to 30,000,000 Kilocycles

"As shown by Exhibit 173, Table 2, only 26 of the 204 commercial FM applications on file August 25, 1944, were from interests independent of existing standard broadcast stations. The 26 newcomers had an aggregate net worth of $20,058,377, or an average net worth of $771,476. It thus appears that the bulk of the FM applications are from interests having AM stations, and that the newcomers are for the most part large-scale enterprises.

In October 1944 there were 248 applications for commercial FM stations in the pending file, 46 stations in operation and 7 construction permits outstanding, a total of 301. Of the applicants, 207 or 83.5 per cent were from licensees of standard broadcast stations. Of the authorized FM stations, 45, or 85 per cent, are owned or affiliated with standard broadcast stations.

The reasons for this are clear. An existing AM licensee can build an FM station more cheaply than others by utilizing the same buildings, studios, etc. (Ex. 173, Table 2.) He can operate an FM station more cheaply than others by utilizing common personnel. (Ibid.) During the first period of FM development when FM receivers in the hands of the public are few and advertising revenues insufficient to cover costs, he can offset his expenses against revenues from AM operation—which may be a very great advantage under present tax conditions.

Since the radio spectrum is public domain, the granting of a license to operate a station is a valuable public privilege. The Commission, in carrying out its responsibilities under the Communications Act, has frequently emphasized the statutory mandate that broadcasting shall be conducted on a competitive basis, and has sought to maintain a fair and even-handed treatment of competitors. It is economically and socially unwise to concentrate the control of broadcast facilities in the hands of a select few, and it is economically and socially essential to keep the door open, to the fullest extent possible for newcomers.

However, as indicated above, the large percentage of AM licensees among the present FM applicants and the economic advantage which AM licensees have in building and operating FM stations more cheaply raise serious questions as to whether, unless some special measures are taken to that end, this objective will be accomplished. The Commission recognizes that until a substantial number of receivers are in the hands of the public FM broadcasting will not be a self-supporting operation.

To keep the door open for later applicants, the Commission is considering the adoption of the following plan: 50 FM commercial channels will be available for assignment both to present licensees and to newcomers in the radio field. This policy will afford existing AM licensees an opportunity to enter FM if they so desire, and in addition will enable some new persons to participate in FM's early development. The remaining 20 FM commercial channels will be reserved from assignment at the present time to be licensed in the future in accordance with rules and regulations subsequently to be promulgated."

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

Docket No. 6651

IN THE MATTER OF:

Allocation of Frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles.

Panel 4 on Standard Broadcasting of the Radio Technical Planning Board respectfully submits this Memorandum Brief in the above entitled matter in an endeavor to assist the Commission in determining the minimum allocation requirements of certain services which are supplementary and incidental to standard broadcasting.

Report of Proposed Allocation of 25,000 to 30,000,000 Kilocycles, Docket 6651

Under date of February 1, the proposals of the Commission as set forth on pages 59 to 65 inclusive of the report, were transmitted to the membership of the panel. Expressions of opinion were requested in order that such views may be made known to the Commission. It appears that the membership of the Panel are in general agreement with the Commission's proposals with the exception of those pertaining to the allocation of frequencies for relay broadcasting. The allocation for this service has been the subject of considerable study by subcommittees of Panel 4, as many broadcasters attach much importance to this service.

Relay broadcasting has made it possible to bring to the public the most important public service events of our time, some of which would have been impossible without adequate relay channels and others on which the coverage would have been curtailed had it not been for ample radio relay facilities. Some of the events of outstanding interest in the past have been the national political conventions, hurricanes, floods, train wrecks, catastrophes caused by fire or explosion, agricultural broadcasts direct from the scene, presidential inaugurations, military pageants, stratosphere balloon flights, fleet reviews, intercollegiate sports, international yacht races, other sports competitions and special events of public interest too numerous to mention.

Much of the material presented to the Commission by Panel 4, during the course of the Hearing, was submitted merely as information and had not been acted upon by the panel or any subcommittee, due to time limitations. (T. R. 3685) The Allocation Committee of Panel 4 has now approved a subcommittee report and recommendations on broadcast relay allocation requirements. This report is identified as Appendix 12 of RTPB Docket Number P4-648-A.

This subcommittee met again on February, 1, 1945, to consider the FCC proposals for allocations for this service. This meeting was attended by the following:

Raymond Guy, NBC
Guy Hutchinson, CBS
M. Jacobsen, NBC
George McElrath, NBC
George Milne, Blue Network
C. Robinson, Mutual

It was the consensus of those present that the FCC proposed allocations do not adequately provide for relay broadcast service insofar as assignments above 25,000 kc. are concerned. There are at present, exclusively assigned for relay broadcasting, sixteen frequencies between 30.82 mc. and 39.82 mc. The Commission proposes to eliminate all relay broadcast assignments from this band and proposes to assign twenty-two non-exclusive channels between 25 and 28 mc. to replace them. The non-exclusive assignment contemplates sharing these channels with provisional, motion picture, relay press and geophysical services. The motion picture and relay press services are competitive with relay broadcasting and would be forced to use these frequencies simultaneously.

Each major network requires four frequencies exclusively for its cue and program transmitters, a total of sixteen. At least four additional channels should be provided for independent stations, making a total of twenty as requested. It is believed that the exclusive assignment of twenty channels for relay broadcasting is necessary to prevent interference between relay broadcasting and competitive services. The Commission does not specify the channel width proposed in the band of 25 to 28 mc. but has provided for thirty-seven channels, which indicates a band width of 80 kc. Twenty channels, each 40 kc., are requested for relay broadcasting exclusively. It is recommended that four blocks of five channels each be provided and that these four blocks be distributed between 25 and 28 mc. Four blocks are needed to enable program channels and cue channels to operate with the receivers and transmitters adjacent to each other without adjacent channel interference. Inasmuch as 40 kc. channels are considered adequate for the type of service proposed between 25 and 28 mc., the exclusive assignments requested above could be granted without depriving other services of channels proposed for them by the FCC in their January 16th proposal, docket number 6651.

In Document P4a-563-A, Exhibit 156, twenty channels were requested in the range of 150 to 200 mc., in four blocks of five channels each. The Commission proposes to reduce the total of eight channels, now assigned, to four which would be shared with competitive services. Frequencies in this range are the most ideal for relay broadcasting in which the "walkie-talkie" type of equipment is used. For this purpose they are much superior to the 25-28 mc. frequencies because of the compactness and portability of equipment and antennas required. We are cognizant of the Commission's problem in providing space for all services. However, it would appear that space between 156-162 mc. could be found for twenty 60 kc. exclusive relay broadcast channels, without hardship to other services. We reiterate the September 21 request for twenty exclusive channels in four blocks of five channels each between 150 and 200 mc., but at this time request them in the range of 156-162 mc. A reduction of channel width to 60 kc. would be tolerable, if necessary, in preference to sharing. The reasons for the request of exclusive assignments are, as in the case of the 25 mc. request, to prevent interference with competitive services which would be required to use the same frequencies at the same time in the same area, under a non-exclusive assignment. We cannot over-emphasize the need to avoid the interference simultaneous operation by competitive services would create. Relay broadcasts are almost always conducted in connection with events of great interest and the existence of interference, or the absence of it, cannot be anticipated unless assignments are exclusive. In the past, conditions have frequently been encountered after elaborate planning, publicity, and preparations, which have made it impossible to carry out plans because other services created interference which did not become evident until shortly before broadcast time.

This has characterized relay broadcasting through the years and has resulted in substantial uselessness of many of the frequencies assigned. It may have been assumed that relay broadcasting requirements were being met because several blocks of channels were allocated to that service; however, the interference so reduced the usability of the frequencies that elaborate relay broadcasting has always been undertaken with apprehension. The interference has been caused not only to relay broadcasting but also to other services by virtue of operations on adjacent channels. There have been many cases where a prebroadcast test has resulted in interference to adjacent channel emergency services, resulting in the broadcaster being ordered to vacate the channel in the interest of public safety.

Sharing these channels with relay press and the motion picture companies may frequently result in a clash of interests which will become evident too late to be avoided. There appears to be adequate space for exclusive assignments in the bands contemplated, if the recommended 40 kc. channels are adopted. The desirability of exclusive channel assignments cannot be too strongly emphasized.

The operation of relay broadcast equipment has been seriously curtailed by the war and the record of use in that period is by no means representative of normal operations or what may be anticipated in the postwar period.

It is contemplated that in the future the region of 3000 mc. will become extremely valuable for relay broadcasting because of the inherent advantages of very light-weight portable transmitters and directive antennas. The use of directive antennas will reduce the requirements for power and power supply. This frequency region is beyond our reach at the present time but apparatus is expected to be available within the next few years which would permit us to operate there. A band of 100 mc. was requested in the region of 3000 mc. for relay broadcasting purposes, exclusively assigned insofar as competitive services are concerned. This request is reiterated. However, a reduction of the band from 100 mc. to 50 mc. would not be prohibitive if other services are crowded in this region.

With the availability of higher frequencies for relay broadcasting, this service will improve and be expanded. The past fifteen years have been a period of continuous development, interrupted during the war years. It is for relay broadcasting that the first "handy-talkie" and "walkie-talkie" transmitters were developed and used. This apparatus was adopted for military use and the experience gained in broadcasting was of great value in the military adaptions of it. There is reason to believe that this experience may be repeated as the higher frequencies become available for the service, after the war.

According to the best information available there is now a total of nearly 600 relay broadcast transmitters, available for use in the United States. The Columbia Broadcasting System has 22 of these transmitters; the National Broadcasting Company has 63 of which 52 are cross licensed to the Blue Network Company. It appears the average use of these transmitters for each network totals about 500 hours per annum. Other statistics will be found in RTPB Document No. P4a-564-A, Exhibit 156, on the present and future use of relay broadcast frequencies as reported to the National Association of Broadcasters.

We urge that the Commission reconsider the allocation proposals for relay broadcasting in order that a sufficient number of channels may be allocated for this service.

Respectfully submitted,

PANEL 4, ON STANDARD BROADCASTING
OF THE
RADIO TECHNICAL PLANNING BOARD,
By HOWARD S. FRAZIER, *Chairman.*

NLRB SETS NABET HEARING

The National Labor Relations Board has set March 6, 1945, at 10:30 a. m., E. W. T., in Washington, D. C., for the hearing of oral argument on the Intermediate Report of the Trial Examiner in the NABET-AFM dispute with the National Broadcasting Company and the American Broadcasting Company relative to the jurisdiction over "platter-turning." The full text of the Intermediate Report follows:

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
TRIAL EXAMINING DIVISION
Washington, D. C.

Case No. 2-C-5735[1]
In the Matter of
NATIONAL BROADCASTING COMPANY, INC.
AND
NATIONAL ASSOCIATION OF BROADCAST ENGINEERS AND TECHNICIANS
AND
AMERICAN FEDERATION OF MUSICIANS

Case No. 2-C-5734
In the Matter of
AMERICAN BROADCASTING COMPANY, INC.
AND
NATIONAL ASSOCIATION OF BROADCAST ENGINEERS AND TECHNICIANS
AND
AMERICAN FEDERATION OF MUSICIANS

Mr. Alan F. Perl, for the Board; *Messrs. Franklin S. Wood* and *Walter L. Emerson*, of New York, N. Y., for Blue Network; *Messrs. J. R. T. Cahill, Joseph A. McDonald*, and *Charles F. Detmar*, of New York, N. Y., for NBC; *Mr. Joseph A. Padway*, by *Mr. Robert A. Wilson*, of Washington, D. C., and *Mr. Henry A. Friedman*, of New York, N. Y., for AFM; *Mr. Martin F. O'Donoghue*, of Washington, D. C., for NABET.

INTERMEDIATE REPORT

Statement of the Case

Upon separate charges duly filed on January 11, 1945, by National Association of Broadcast Engineers and Technicians, herein called NABET, the National Labor Relations Board, herein called the Board, by the Regional Director for the Second Region (New York, New York), issued its complaint dated January 15, 1945, against National Broadcasting Company, Inc., New York, New York, herein called NBC, and American Broadcasting Company, Inc., New York, New York, herein called Blue Network, both herein collectively called the respondents, alleging that the respondents, and each of them, had engaged in and was engaging in unfair labor practices affecting commerce within the meaning of Section 8 (1) and (5) and Section 2 (6) and (7) of the National Labor Relations Act, 49 Stat. 449, herein called the Act. Copies of the complaint and notice of hearing thereon were duly served upon each of the respondents, NABET, and upon the American Federation of Musicians, a party to the proceeding and herein called AFM.

With respect to the unfair labor practices, the complaint alleged in substance that from on or about November 24, 1944, each of the respondents has refused to bargain collectively with NABET as the exclusive representative of its respective employees in certain appropriate units, although NABET had been certified as the bargaining representative for such employees by the Board in a prior proceeding.[2] The answer filed by NBC admits all the allegations of the complaint with respect to it but avers that it refused to bargain collectively with NABET because AFM had threatened it with reprisal if it recognized and bargained with NABET as the exclusive representatives of its "platter turners."[3] The answer of Blue Network admits, in effect, all the allegations of the complaint with respect to it, including the allegation that it refused to bargain collectively with NABET for its platter turners, but denied that Blue Network has ever refused to bargain collectively with NABET with regard to its other employees in the unit found by the Board to be appropriate. The answer further admits that a letter, dated January 6, 1945, and sent by Blue Network to NABET, a copy of which is attached to and made part of the complaint, sets forth the position of Blue Network in this proceeding in stating that it would not bargain collectively with NABET with regard to its platter turners for the reason that it feared reprisals from AFM. The answer stated that on December 30, 1944, the Blue Network Company, Inc., was a wholly owned subsidiary of the American Broadcasting Company, Inc., and under that date was merged into, and became a part of, American Broadcasting Company, Inc., which has assumed, and is responsible for, all the liabilities of Blue Network Company, Inc. No answer was filed by AFM.

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[1] Pursuant to an order of the Board dated January 13, 1945, Case No. 2-C-5734 was consolidated with Case No. 2-C-5735.

[2] *Matter of National Broadcasting Company, Inc., et al.*, 59 N.L.R.B., No. 97.

[3] "Platter turners," or, as they are sometimes called, turntable operators, place phonograph records on one of the two turntables used in broadcasting studios for "on the air" playback, adjusting it for either vertical or lateral cut records and fixing speed of the records in accordance with the instructions appearing on the face of the record, opening the fader control, and, after the record has been played, removing the records from the turntable. The Board found in the said prior representation proceeding that platter turners, except those employed in the Chicago studios of the respondents, are part of the appropriate units.

Pursuant to notice, a hearing was held on January 30, 1945, at New York, New York, before Howard Myers, the undersigned Trial Examiner, duly designated by the Chief Trial Examiner. The Board, NBC, Blue Network, NABET, and AFM were represented by counsel and participated in the hearing. Full opportunity to be heard, to examine and cross-examine witnesses, and to introduce evidence bearing upon the issues was afforded all parties.

At the opening of the hearing, upon motion of Board's counsel, unopposed by any of the parties, and upon a showing, as reflected by the answer filed herein, that as of December 30, 1944. Blue Network Company, Inc., was merged with its parent corporation, American Broadcasting Company, Inc., which has assumed all the liabilities of Blue Network Company, Inc., and now occupies the position of respondent herein, the title of Case No. 2-C-5734 was amended to substitute American Broadcasting Company, Inc., in the place and stead of Blue Network Company, Inc., as respondent herein. At the conclusion of the hearing, Board's counsel moved to conform the pleadings to the proof. The motion was granted without opposition. Oral argument, in which counsel for the Board and AFM participated, was heard at the conclusion of the taking of the evidence and is a part of the record. Although afforded opportunity to do so, none of the parties have submitted briefs.

Upon the entire record in the case, the undersigned makes the following:

Findings of Fact

I. The business of the respondents

National Broadcasting Company, Inc., is a Delaware corporation having its principal place of business in New York City. It is engaged principally in the business of network and local broadcasting, involving the sale of broadcast time, the production of radio programs, the transmission of such programs over certain stations managed and owned by it and to various broadcasting stations throughout the United States and Canada affiliated with it for broadcasting by them. The National Broadcasting Company owns and operates studios and radio facilities constituting the following broadcasting stations: WEAF, New York City; WMAQ, Chicago, Illinois; WRC, Washington, D. C.; WTAM, Cleveland, Ohio; KOA, Denver, Colorado and KGO, San Francisco, California. It also maintains studios and offices in Los Angeles, California, and has various short wave, television, and experimental broadcasting stations located throughout the United States. It transmits its programs in interstate commerce by broadcasting them from the stations it owns and operates and by feeding its network programs over wire lines to the broadcasting stations affiliated with it, which number approximately 140 and are located in various States, Canada, Hawaii, and Cuba.

American Broadcasting Company, Inc., is a Delaware corporation having its principal place of business in New York City. It is engaged in the business of network and local broadcasting, the sale of time facilities and radio programs, and the production of radio programs. It owns and operates the studios and facilities constituting the following broadcasting stations: WJZ, New York City; WENR, Chicago, Illinois,; KGO, San Francisco, California; and KECA, Los Angeles, California. It transmits programs over the Blue Network, which consists of the 4 above-mentioned stations, and 191 independently owned stations, 2 of which are located in Canada. The programs broadcast include both sustaining and commercial programs of news, entertainment and educational character, and advertising.

NBC and Blue admit, and the undersigned finds, that they are engaged in commerce within the meaning of the National Labor Relations Act.

II. The organizations involved

National Association of Broadcast Engineers and Technicians is a labor organization admitting to membership employees of the respondents.

American Federation of Musicians, affiliated with the American Federation of Labor, is a labor organization admitting to membership employees of the respondents.

III. The unfair labor practices

The Refusal to Bargain Collectively with NABET

1. The appropriate units

The complaint alleged, as the Board found in its Decision and Certification of Representatives, dated November 24, 1944,[4] that all technical employees, wherever located, of the engineering departments of Blue Network and NBC, respectively, engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters or more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, constitute units apporpriate for the purposes of collective bargaining. None of the parties disputed the appropriateness of the units as found nor was there any new evidence introduced in the instant proceeding with respect thereto.

In accordance with the foregoing, and as set out by the Board in its certification of NABET, under date of November 24, 1944, the undersigned finds that all technical employees, wherever located, of the engineering department of NBC engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, at all times material herein constituted, and now constitutes, a unit appropriate for the purposes of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment, and that the said unit insures to the said employees of NBC its full benefit of their right to self-organization and collective bargaining and otherwise effectuates the policies of the Act.

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[4] See footnote 2, *supra.*

The undersigned further finds that all technical employees, wherever located, of the engineering department of Blue Network engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, at all times material herein constituted, and now constitutes a unit appropriate for the purposes of collective bargaining with respect to rates of pay, wages, hours of employment, and other conditions of employment, and that the said unit insures to the said employees of Blue Network the full benefit of their right to self-organization and collective bargaining and otherwise effectuate the policies of the Act.

2. Representation by NABET of a majority in the appropriate units

In the above-mentioned representation proceeding, the Board, on November 24, 1944, certified NABET as the exclusive representative of the employees in the respective appropriate units. The correctness or adequacy of the Board's certification was not questioned by any of the parties. Accordingly, the undersigned finds that on November 24, 1944, and at all times thereafter, NABET was, and now is, the duly designated representative of a majority of the employees in the aforesaid appropriate units and that, pursuant to Section 9 (a) of the Act, NABET was, and now is, the exclusive representative of the employees in the said units for the purposes of collective bargaining in respect to rates of pay, wages. hours of employment, and other conditions of employment.

3. Refusal to bargain

As hereinabove indicated, upon separate petitions filed by NABET, the Board issued on November 24, 1944, its Decision and Certification in which it found the platter turners employed by the respondents, except those employed at their respective Chicago studios, were to be included in the appropriate units.

On November 27, 1944, Allan T. Powley, the president of NABET met with an official of Blue Network for the purpose of entering negotiations looking toward a collective bargaining contract. Later that day, Powley met with an official of NBC. As a result of these meetings, arrangements were made for a joint conference. On December 1, NABET submitted to each respondent identical proposed contracts. On December 5, representatives of NABET met at a joint conference with officials of NBC and Blue Network. There, discussions were had with respect to the contracts submitted by NABET on December 1. John MacDonald, the vice-president of NBC and who acted as spokesman at that meeting for the respondents. read to those present a letter dated December 1, which NBC received from James C. Petrillo, the president of AFM, in which Petrillo insisted that NBC disregard the Board's Certification of NABET as the exclusive representative of the employees of NBC in the appropriate unit and carry out the arrangements which NBC made with AFM in January 1944, to hire only members of AFM as platter turners. Despite Petrillo's letter, the parties met and discussed the terms of the proposed contracts on eight other occasions in December, during which agreement was reached with respect to some of the terms. At the last December meeting, held on the 21st of that month, the respondents agreed to submit counter-proposed contracts. They submitted identical proposed contracts on December 27. These contracts, however, made no provision for the platter turners. The letter, dated December 27, which accompanied the proposed NBC contract reads in part as follows:

> Even though we have been unable to complete the redraft of the proposed new NABET contract in line with our recent meetings, we have completed and are sending you herewith the first twelve pages covering Section 1 through 8. We are continuing to work on the balance of the draft and will get it to you as soon as possible. It is our plan to present the dollar amounts to you at our meeting on January 3d.

On December 29, NABET sent the following telegram to each respondent:

> The contract you have submitted is at complete variance with the agreement that we reached in New York after three weeks of negotiations. The wage increases agreed to by you must be submitted to me by telegram not later than Saturday noontime. I am not going to wait until January 3 for NBC and Blue to submit the wage increases that we have requested. The balance of the draft of the contract must be in my possession not later than Saturday, December 30 and above all you must agree immediately in writing that you recognize NABET as the certified bargaining agent for all turn table operators or else all negotiations are completely off. I believe NBC and BLUE are stalling and are not bargaining in good faith and our patience is exhausted.

On the following day (December 30) NBC sent the following telegram to NABET:

> Re your wire of December 29 understand that Jo McDonald in his telephone conversation with you yesterday shortly after your wire to me had been sent assured you of our good faith in these negotiations and of the diligence with which we have prepared our redraft of the proposed NBC NABET contract and that therefore no action will be taken on any part of contents of your telegram to me prior to next Wednesday Stop at that time understand we will meet at 10:30 a. m. as originally scheduled and go over complete revised draft of the contract balance of which will be delivered to Hiller in New York Tuesday for your reconsideration prior to the meeting and also that the purposed NBC NABET wage scale will be presented at that meeting mean while I assure you that revised draft submitted by us prepared by Jo McDonald and George McElrath in complete good faith as reflecting their understanding of all matters agreed upon to date and that entire negotiations has been and will continue to be carried on with all practicable speed.

On January 3, 1945, the parties again met. At this conference, NABET demanded to know whether the respondents would bargain with NABET with respect to the platter turners. The respondents replied that they so would advise NABET within the next few days. On January 6, NBC wrote NABET the following letter:

> This letter is in response to the request you made on Wednesday of this week for a written statement of our position with respect to jurisdiction over "platter turners". You stated that your union did not deem it adisaboe (sic) to continue the negotiations for a new collective bargaining agreement unless your jurisdiction was recognized.
>
> The National Broadcasting Company has given this matter considerable thought and I must now advise you that we are not in a position to give you our commitment recognizing your union as the proper bargaining agent for "platter turners". We have come to this conclusion because, based on the facts which I shall summarize in this letter, it seems clear to us that this question can be resolved effectively only by judicial determination.
>
> In January 1944, in the course of negotiating with the American Federation of Musicians a new contract covering the instrumental musicians in our employ we agreed, effective in June, to employ musicians as "platter turners". We made this agreement in the belief that we and you could more exactly define "on the air playback" equipment (as those words are used in our NABET contract) so as to exclude therefrom the actual work of

turning "platters", leaving the equipment itself solely under the jurisdiction of your engineers.

In April your union instituted a proceeding before the National Labor Relations Board seeking a declaration that your union was the proper collective bargaining agent for the employees engaged in "platter turning". The American Federation of Musicians and the Company were parties to those proceedings. On November 24, 1944, the National Labor Relations Board handed down its order certifying your union as the proper collective bargaining agent for employees engaged (except in Chicago) in "platter turning". We expected that this order would finally settle this jurisdictional controversy between your union and the American Federation of Musicians and we were fully prepared to negotiate with you on that basis.

However, on December 1, 1944, we were informed that the American Federation of Musicians did not regard the Board's decision as determinative of the issues involved and, accordingly, had ordered the musicians in Hollywood not to participate on the Jack Benny program scheduled for Sunday evening, December 3rd. We were able to have this strike call withdrawn by agreeing to confer with the President of the union, James C. Petrillo, on Tuesday, December 5th in order that we might be fully apprised of his position with respect to this matter. Prior to attending that meeting, we received from Mr. Petrillo a letter dated December 1st, reading as follows:

> "Now that the hearing before the National Labor Relations Board is terminated and certification has been granted NABET over work commonly termed 'Pancake turning' except in Chicago, and which work you have yourself recognized belongs to our union, I deem it appropriate that I write to you my view in the matter.
>
> "Regardless of the National Labor Relations Board certification, I firmly believe that the agreement we entered into awarding the work of pancake turning to the American Federation of Musicians is legal and proper, and I take this means of notifying you that I shall continue to insist upon this jurisdiction so that the work of pancake turning is performed by members of the American Federation of Musicians throughout the country.
>
> "I do not wish to enter into an argument on the merits of the jurisdiction, but I think I am within my rights in saying that NABET's claim that it is an independent non-dominated unit is not substantiated by the facts and the record. Had this been a 'complaint' case before the National Labor Relations Board I feel sure that we would have established that NABET is a dominated organization. Of course such facts and circumstances cannot be established in a representation case, which was the character of the case before the Board. If you were to consider the testimony of Mr. Fredendall at the last hearing you would, I think, be satisfied that it spells nothing more nor less than that NABET is controlled by the companies employing their members.
>
> "I think the only fair thing to do in this matter is to cause NABET to release jurisdiction over this class of work. Unless that is done we shall be plunged into another controversy, which I am sure neither you nor I desire. Therefore I hasten to bring to your attention my position in this matter irrespective of the certification by the Board, and I request you to take all necessary steps to put into force and effect the agreement we entered into for the members of the American Federation of Musicians in pancake turning."

On December 5th, during our first meeting with you after receiving the foregoing letter, we informed you of its contents.

You will note from Mr. Petrillo's letter that he disputes that you are an "independent non-dominated unit" and suggests that had the proceeding before the National Labor Relations Board been a "complaint case" the Board would have sustained his contention. He also states that since his union was not in a position to raise the question of domination in the "representation case" that issue is still present and is controlling in the ultimate determination of who is entitled to represent employees engaged in "platter turning."

The Company is and always has been willing to abide by a decision conclusively determining the jurisdictional question. However, in view of the fact that the American Federation of Musicians insists that the certification by the National Labor Relations Board did not effectively determine this issue and refuses to abide by it, we decided that we had no alternative but to decline to negotiate with either union with respect to "platter turners" until the issue was finally and effectively determined.

The status quo, I trust, will be maintained by all concerned until the issue is finally determined—interruption of our essential services should not be permitted to take place particularly in time of war.

On the same day (January 6) Blue Network sent the following letter to NABET:

The following is a statement of the position of the Blue Network in reference to the dispute between your Union and the American Federation of Musicians, headed by Mr. James C. Petrillo, as to which union shall have jurisdiction of our personnel working as platter turners.

In negotiating a new contract with Mr. Petrillo, for the American Federation of Musicians, in January, 1944, the Blue Network agreed, effective in June, 1944, to employ platter turners who are members of the American Federation of Musicians. This agreement was part of a general contract with the American Federation of Musicians. In making this contract, we were acting in good faith and were advised that we were within our legal rights to award this jurisdiction to the American Federation of Musicians.

As you know, in April of last year, your Union instituted a proceeding before the National Labor Relations Board whereby you sought to have NABET named as the Collective bargaining unit for platter turners. The Blue Network and the American Federation of Musicians were parties to this proceeding. On November 24, 1944, the National Labor Relations Board certified your Union as collective bargaining agent for platter turners, except in Chicago. The Blue Network was prepared to follow the decision of the National Labor Relations Board.

However, on December 1, 1944, Mr. Petrillo informed us that he did not consider the findings of the National Labor Relations Board binding upon his organization, because he charged that NABET is a so-called company dominated union. Mr. Petrillo further alleged that the question of whether or not your Union is an independent union had not been considered by the National Labor Relations Board in its proceedings covering the representation of platter turners. He served notice on the Blue Network that as a result, he expected the the network to comply with our agreement of January, 1944, and to employ musicians, rather than engineers, as platter turners.

At this time, Mr. Petrillo told the Blue Network that unless we recognized the jurisdiction of the American Federation of Musicians over platter turners, in accordance with our contract, he would order a series of "wild cat" strikes by withdrawing musicians from Blue Network programs at sporadic intervals. If Mr. Petrillo carries out this threat, it will be impossible for us to broadcast leading programs on the network because of the absence of musicians. We have no adequate legal relief in such situation and over a period of time it would would be impossible for us to broadcast our leading programs. The result would be that the operation of the Blue Network would be seriously jeopardized.

For the last month we have been negotiating with you the terms of a new collective bargaining agreement. You have now informed us that you will no longer negotiate unless we accept your Union as the collective bargaining unit for platter turners. In view of the circumstances described above, and particularly Mr. Petrillo's contention that the National Labor Relations Board has not determined the question as to your Union is an independent and non-dominated organization, we find ourselves unable to comply with your request unless and until such time as this issue has been finally and

> effectively determined in such a way as to be binding on all parties concerned.
>
> The first obligation of the Blue Network is to the public. Holding a public franchise, we will make every effort to continue the operation of the network, without interruption, and thus maintain our essential public service. I know you will agree that this is particularly important in time of war, when radio is serving as a vital source of public information, both on the progress of the war and on the efforts necessary to enable us to win the war. The public interest and that of the parties accordingly require that the pending dispute be finally determined as promptly as possible and we sincerely hope that your Union and the American Federation of Musicians will cooperate with us to that end.

On January 24, the parties again met. At this meeting the respondents unsuccessfully attempted to induce NABET to waive its jurisdiction over the platter turners. This was the last meeting of the parties.

There were introduced in evidence, letters dated January 27, 1944, and January 28, 1944, from NBC and Blue Network, respectively, to Petrillo advising that on June 1, 1944 (the termination date of NABET's then current contracts), they would employ members of AFM as platter turners. The question was inferently raised at the hearing as to whether these letters represented contracts that would bar consideration of NABET from being certified as the collective bargaining representative of the platter turners.

Reference to the proceedings of the Board which resulted in the certification of NABET under date of November 24, 1944 (59 N.L.R.B., No. 97) discloses that these letters were then before the Board and that the status of platter turners was fully considered. By its Decision and Certification of Representatives of November 24, 1944, the Board has heretofore disposed of any questions presented by the above letters, and in this hearing no showing of new facts concerning the letters has been made. It is therefore found that the foregoing letters are no bar to the obligation of the respondents to bargain collectively with NABET as the representative of the platter turners.

Respondents' defense to the charges of refusal to bargain with NABET is bottomed on the claim that to do so would result in reprisals from the AFM. The Board and Courts have on many occasions, denied the validity of similar urged defenses to charges of unfair labor practices.[5] The paramount and plain duty of the respondents in this situation was to obey the mandate of the Congress as expressed in the National Labor Relations Act and to bargain with NABET.

The undersigned finds that on January 6, 1945, and at all times thereafter, the respondents, and each of them, refused to bargain collectively with NABET as the exclusive representative of their respective employees in appropriate units with respect to rates of pay, wages, hours of employment, and other conditions of employment, and by such refusal interfered with, restrained, and coerced their respective employees in the exercise of the rights guaranteed in Section 7 of the Act.

IV. The effect of the unfair labor practices upon commerce

The activities of the respondents set forth in Section III, above, occurring in connection with the operations of the respondents described in Section I, above, have a close, intimate, and substantial relation to trade, traffic, and commerce among the several States and tend to lead to labor disputes burdening and obstructing commerce and the free flow of commerce.

V. The remedy

Having found that the respondents have engaged in unfair labor practices, the undersigned will recommend that they cease and desist therefrom and to take certain affirmative action designed to effectuate the policies of the Act. The undersigned has found that the respondents have refused to bargain collectively with NABET as the representative of the majority of the employees in the appropriate units. The undersigned shall recommend, therefore, that the respondents, and each of them, upon request, bargain collectively with NABET.

Upon the basis of the above findings of fact and upon the entire record in the case, the undersigned makes the following:

Conclusions of Law

1. National Association of Broadcast Engineers and Technicians and American Federation of Musicians, affiliated with the American Federation of Labor, are labor organizations, within the meaning of Section 2 (5) of the Act.

2. All technical employees, wherever located, of the engineering department of American Broadcasting Company, Inc., New York, New York, engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, constitute, and at all times material herein constituted, a unit appropriate for the purposes of collective bargaining, within the meaning of Section 9 (b) of the Act.

3. All technical employees, wherever located, of the engineering department of National Broadcasting Company, Inc., New York, New York, engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, constitute, and at all times material herein constituted, a unit appropriate for the purposes of collective bargaining, within the meaning of Section 9 (b) of the Act.

4. National Association of Broadcast Engineers and Technicians was on November 24, 1944, and at all times thereafter has been, the exclusive representative of all the employees in aforesaid units for the purposes of collective bargaining, within the meaning of Section 9 (a) of the Act.

5. By refusing on January 6, 1945, and at all times thereafter, to bargain collectively with National Association of Broadcast Engineers and Technicians, as the exclusive representative of their respective employees in the appropriate units, the respondents have, and each of them has, engaged and are engaged in unfair labor practices, within the meaning of Section 8 (5) of the Act.

6. By interfering with, restraining, and coercing their respective employees in the exercise of the rights guaranteed in Section 7 of the Act, the respondents have, and each of them has, engaged in and are engaging in unfair labor practices, within the meaning of Section 8 (1) of the Act.

7. The aforesaid unfair labor practices are unfair labor practices affecting commerce, within the meaning of Section 2 (6) and (7) of the Act.

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[5] *N.L.R.B.* v. *Star Publishing Co.*, 97 F. (2d) 465, (C.C.A. 9).

Recommendations

Upon the basis of the above findings of fact and conclusions of law, the undersigned recommends that the respondents, National Broadcasting Company, Inc., and American Broadcasting Company, Inc., both of New York, New York, their respective officers, agents, successors, and assigns shall:

1. Cease and desist from:

(a) Refusing to bargain collectively with National Association of Engineers and Technicians as the exclusive representative of their respective employees in the units heretofore found appropriate, with respect to rates of pay, wages, hours of employment, and other conditions of employment.

2. Take the following affirmative actions which the undersigned finds will effectuate policies of the Act:

(a) National Broadcasting Company, Inc., shall, upon request, bargain collectively with National Association of Engineers and Technicians as the exclusive representative of all technical employees, wherever located, of the engineering department of National Broadcasting Company, Inc., engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, in respect to rates of pay, wages, hours of employment, and other conditions of employment;

(b) American Broadcasting Company, Inc., shall, upon request, bargain collectively with National Association of Engineers and Technicians as the exclusive representative of all technical employees, wherever located, of the engineering department of American Broadcasting Company, Inc., engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, in respect to rates of pay, wages, hours of employment, and other conditions of employment;

(c) National Broadcasting Company, Inc., shall post in its studios at New York, New York; Chicago, Illinois; Washington, D. C.; Cleveland, Ohio; Denver, Colorado; and San Francisco, California, copies of the notice attached hereto, marked "Appendix A." Copies of said notice, to be furnished by the Regional Director for the Second Region, shall, after being duly signed by a representative of National Broadcasting Company, Inc., be posted by National Broadcasting Company, Inc., immediately upon receipt thereof, and maintained by it for sixty (60) consecutive days thereafter, in conspicuous places, including all places where notices to employees are customarily posted. Reasonable steps shall be taken by National Broadcasting Company, Inc., to insure that said notices are not altered, defaced, or covered by any other material.

(d) American Broadcasting Company, Inc., shall post in its studios at New York, New York; Chicago, Illinois; San Francisco, California; and Los Angeles, California, copies of the notice attached hereto, marked "Appendix B." Copies of said notice, to be furnished by the Regional Director for the Second Region, shall, after being duly signed by a representative of American Broadcasting Company, Inc., be posted by American Broadcasting Company, Inc., immediately upon receipt thereof, and maintained by it for sixty (60) consecutive days thereafter, in conspicuous places, including all places where notices to employees are customarily posted. Reasonable steps shall be taken by National Broadcasting Company, Inc., to insure that said notices are not altered, defaced, or covered by any other material.

(e) Notify the Regional Director for the Second Region in writing within ten (10) days from the date of the receipt of this Intermediate Report what steps the respondents have taken to comply therewith.

It is further recommended that unless on or before ten (10) days from the date of the receipt of this Intermediate Report, the respondents notify said Regional Director in writing that they will comply with the foregoing recommendations, the National Labor Relations Board issue an order requiring the respondents to take the action aforesaid.

As provided in Section 33 of Article II of the Rules and Regulations of the National Labor Relations Board, Series 3, as amended, effective November 26, 1943, any party or counsel for the Board may within fifteen (15) days from the date of the entry of the order transferring the case to the Board, pursuant to Section 32 of Article II of said Rules and Regulations, file with the Board, Rochambeau Building, Washington, D. C., an original and four copies of a statement in writing setting forth such exceptions to the Intermediate Report or to any other part of the record or proceeding (including rulings upon all motions or objections) as he relies upon together with the original and four copies of a brief in support thereof. Immediately upon the filing of such statement of exceptions and/or brief, the party or counsel for the Board filing the same shall serve a copy thereof upon each of the other parties and shall file a copy with the Regional Director. As further provided in said Section 33, should any party desire permission to argue orally before the Board request therefor must be made in writing to the Board within ten (10) days from the date of the order transferring the case to the Board.

Howard Myers,
Trial Examiner.

Dated: February 3, 1945.

"APPENDIX A"

NOTICE TO ALL EMPLOYEES

Pursuant to

The Recommendations of a Trial Examiner

of the National Labor Relations Board, and in order to effectuate the policies of the National Labor Relations Act, we hereby notify our employees that:

> We will not in any manner interfere with, restrain, or coerce our employees in the exercise of their right to self-organization, to form labor organizations, to join or assist National Association of Broadcast Engineers and Technicians or any other labor organization, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection. All our employees are free to become or remain members of this union, or any other labor organization.
>
> We will bargain collectively upon request with the above-named union as the exclusive representative of all employees in the bargaining unit described herein with respect to rates of pay, hours of employment or other conditions of employment, and if an understanding is reached, embody such understanding in a signed agreement. The bargaining unit is:
>
> > All technical employees, wherever located, of the Engineering Department of National Broadcasting Company, Inc., engaged in the operation of technical facilities used in transmitting, converting and/or

conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisor employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively rcommend such action.

....
(Employer)

Dated........... By ....
(Representative) (Title)

This notice must remain posted for 60 days from the date hereof, and must not be altered, defaced, or covered by any other material.

"APPENDIX B"

NOTICE TO ALL EMPLOYEES

PURSUANT TO
THE RECOMMENDATIONS OF A TRIAL EXAMINER

of the National Labor Relations Board, and in order to effectuate the policies of the National Labor Relations Act, we hereby notify our employees that:

WE WILL NOT in any manner interfere with, restrain, or coerce our employees in the exercise of their right to self-organization, to form labor organizations, to join or assist National Association of Broadcast Engineers and Technicians or any other labor organization, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection. All our employees are free to become or remain members of this union, or any other labor organization.

WE WILL BARGAIN collectively upon request with the above-named union as the exclusive representative of all employees in the bargaining unit described herein with respect to rates of pay, hours of employment or other conditions of employment, and if an understanding is reached, embody such understanding in a signed agreement. The bargaining unit is:

All technical employees, wherever located, of the Engineering Department of American Broadcasting Company, Inc., engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action.

....
(Employer)

Dated........... By ....
(Representative) (Title)

This notice must remain posted for 60 days from the date hereof, and must not be altered, defaced, or covered by any other material.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, February 26. They are subject to change.

Wednesday, February 28

Oral Argument Before the Commission En Banc
Conference Room B of the Departmental Auditorium, Constitution Avenue Between 12th and 14th Streets, N. W.

In the Matter of Frequencies to the Various Classes of Nongovernmental Services in the Radio Spectrum from 10 Kilocycles to 30,000,000 Kilocycles.

Federal Communications Commission Action

APPLICATIONS GRANTED

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted license to cover construction permit which authorized change in frequency to **560 kc.**, increase in power to 1 KW, and installation of new transmitter and DA for night use. Also authority to determine operating power by direct measurement of antenna power. (B5-L-1852, B5-Z-1655)

WSCC—Savannah Broadcasting Co., area of Savannah, Ga.—Granted construction permit to reinstate construction permit (B3-PRE-435) as modified, which authorized a new relay broadcast station to be used with standard station WTOC; frequencies **30820, 33740, 35820** and **37980 kc.**, 2 watts. (B3-PRE-443)

WAHL—Paducah Broadcasting Co., Inc., area of Paducah, Ky.—Cancelled relay broadcast station license at request of applicant.

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—Granted license to cover construction permit which authorized move of transmitter and studio and installation of new antenna and ground system, and authority to determine operating power by direct measurement. (B5-L-1859, B5-Z-1663)

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Granted license to cover construction permit which authorized installation of an auxiliary transmitter, and authority to determine operating power by direct measurement of antenna power. (B4-L-1857, B4-Z-1661)

WEMP—Glenn D. Roberts, et al., d/b as Milwaukee Broadcasting Co. (Assignor); Glenn D. Roberts, et al., d/b as Milwaukee Broadcasting Co. (Assignee); Milwaukee, Wis.—Granted consent to voluntary assignment of license of station WEMP (a partnership composed of 7 members), to a newly formed partnership consisting of ten members including the present 7 with the addition of James Ernest Roe, W. Wade Boardman and Genevieve S. Nesbit. Glenn D. Roberts, who owns a ⅜ interest in the assignor partnership, is selling 2/8 interest (⅛ each to Roe and Boardman for a cash consideration of $25,000), and Wellwood Nesbit, who owns ⅛ interest in assignor partnership, will transfer 1/16 of such interest to his wife. (B4-AL-471)

KOMA—John Toole Griffin and Marjorie Griffin Leake, Executors under the will of J. T. Griffin, deceased (Transferors); John Toole Griffin and Marjorie Griffin Leake, Executors under the will of J. T. Griffin, deceased (Transferees); KOMA, Inc. (Licensee), Oklahoma City, Okla.—Granted involuntary transfer of control of KOMA, Inc., licensee of station KOMA, from J. T. Griffin, deceased, to his executors, John Toole Griffin and Marjorie Griffin Leake. No monetary consideration involved. (B3-TC-428)

Lincoln Deller, Sacramento, Calif.—Granted an extension of 30 days time within which to comply with the procedural conditions of conditional grant for new station.

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky & Bailey, Washington, D. C.—Granted construction permit to move experimental broadcast station W3XO from 1219 Wisconsin Avenue, N. W., Washington, D. C., to 3923 Windom Place, N. W. This move is made in order to provide a satisfactory location from which to make proposed allocation and coverage studies in conjunction with developmental broadcast station W3XMB, Baltimore.

DESIGNATED FOR HEARING

Adelaide Lillian Carrell, Wichita, Kans.—Adopted an order designating for hearing, in accordance with the procedure set forth in Public Notice of January 25, 1945, the application for a new station at Wichita, such hearing to be held March 28, 1945, to determine whether the granting of this application would be in conformity with the Commission's Supplemental Statement of Policy of January 16, 1945.

LICENSE RENEWALS

Herbert Kendrick and G. L. Hash, a partnership, d/b as Harrisburg Broadcasting Co., Harrisburg, Pa.—Granted additional 30-day extension of time within which to comply with the procedural conditions of conditional grant for a new station.

Ewing C. Kelly, David R. McKinley and Vernon Hansen, d/b as Central Valleys Broadcasting Co., Sacramento, Calif.—Granted 30-day extension of time within which to comply with the procedural requirements of conditional grant for a new station.

KVNU—Cache Valley Broadcasting Co., Logan, Utah—Granted renewal of license for the period ending February 1, 1946.

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted renewal of license for main and auxiliary transmitter, for the period ending November 1, 1947.

W9XWT—Courier-Journal and Louisville Times Co., Louisville, Ky.—Granted renewal of facsimile broadcast station license for the period ending March 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

W8XUM—WBNS, Inc., Columbus, Ohio—Granted renewal of facsimile broadcast station license for the period ending March 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

MISCELLANEOUS

Granite District Radio Broadcasting Co., Salt Lake City, Utah.—Denied petition of Granite District Radio Broadcasting Company for rehearing, directed against the action of the Commission October 30, 1944, granting without hearing, the application of Abrelia S. Hinckley, George C. Hatch, and Wilda Gene Hatch d/b as Salt Lake City Broadcasting Co., Salt Lake City, Utah, for a construction permit for a new standard broadcast station in that place to operate on **910 kc.,** 1 KW power, unlimited time; to employ a directional antenna day and night, and granted a construction permit to said Salt Lake City Broadcasting Co. pursuant to the Commission's action of October 30, 1944.

WDSU—E. A. Stephens, et al., d/b as Stephens Broadcasting Co., New Orleans, La.—Adopted an order designating Commissioner Norman S. Case to preside at the hearing scheduled for March 21, to determine whether E. A. Stephens, Fred Weber and H. G. Wall, d/b as Stephens Broadcasting Co. (WDSU), New Orleans, have violated Sec. 315 of the Communications Act; and further authorized said Commissioner to change the time and place heretofore fixed for such hearing, and to hear, consider, determine and act upon any and all petitions, motions and other preliminary matters in connection with and pertinent to said proceedings which may arise prior to said hearing.

WMC—Memphis Publishing Co., Memphis, Tenn.—Granted motion for continuance of hearing on application for renewal of license now scheduled for February 19, and continued same to March 21, 1945.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Granted modification of construction permit which authorized change in frequency, for extension of completion date to May 8, 1945, subject to the condition that no operation take place under this authorization until station KALB commences operation on **580 kc.**

The following applications for high frequency (FM) broadcast stations were placed in the pending files in accordance with Commission's policy of February 23, 1943:

Frank R. Pidcock, Sr., Near Moultrie, Ga.; Indiana Broadcasting Corp., Indianapolis, Ind.

APPLICATIONS FILED AT FCC

590 Kilocycles

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah.—Construction permit to change frequency from **1340 kc.** to **590 kc.,** increase power from 250 watts day and night to 1 KW. day and 250 watts night, and install new transmitter.

620 Kilocycles

WAGE—WAGE, Inc., Syracuse, New York.—License to cover construction permit (B1-P-3516) which authorized installation of an auxiliary transmitter to operate with power of 250 watts using directional antenna at night.

650 Kilocycles

WSM—The National Life and Accident Insurance Company, Nashville, Tenn.—Voluntary assignment of license to WSM, Incorporated.

WSM—The National Life and Accident Insurance Company, Nashville, Tenn.—Voluntary assignment of license to WSM, Incorporated.

1090 Kilocycles

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Extension of special service authorization to permit broadcasting, under the control and direction of the Pacific Coast Maritime Industry Board, as a public service and without charge of information to longshoremen for the period 5-1-45 to 5-1-46.

1240 Kilocycles

WCHV—Charles Barham, Jr., and Emmalou W. Barham, d/b as Barham and Barham, Charlottesville, Va.—License to cover construction permit (B2-ML-1162) which authorized change in frequency.

WCHV—Charles Barham, Jr., and Emmalou W. Barham, d/b as Barham and Barham, Charlottesville, Va.—Authority to determine operating power by direct measurement of antenna power.

1320 Kilocycles

WEBC—Head of the Lakes Broadcasting Co., Duluth, Minn.—Authority to make changes in automatic frequency control unit of the auxiliary transmitter.

1340 Kilocycles

WJPR—John R. Pepper, Greenville, Miss.—Voluntary assignment of license to Thomas Henry Golding, Sr., Thomas Henry Golding, Jr., Emmet Holmes McMurry, Jr., and Frank Wilson Baldwin, a partnership, d/b as Radio Services Company.

1370 Kilocycles

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, Owner), Rochester, New York.—Modification of construction permit (B1-P-2924 as modified which authorized change in frequency, increase in power, installation of directional antenna for day and night use, new transmitter and move of transmitter) for changes in directional antenna system and extension of completion date.

1400 Kilocycles

WSRR—Stephen R. Rintoul, Stamford, Conn.—Voluntary assignment of license to The Western Connecticut Broadcasting Company.

1450 Kilocycles

WTBO—Associated Broadcasting Corp., Cumberland, Maryland.—Authority to determine operating power by direct measurement of antenna power.

1490 Kilocycles

WTMV—Mississippi Valley Broadcasting Co., Inc., East St. Louis, Ill.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—Plaza Court Broadcasting Co., Oklahoma City, Okla.—Construction permit for a new high frequency (FM) broadcast station to be operated with coverage of 15,394 square miles; AMENDED to specify frequency of **47700 kc.,** change coverage to 26,250 square miles, change transmitter site and equipment.

NEW—College of the Pacific, Stockton, Calif.—Construction permit for a new noncommercial educational broadcast station to be operated with power of 1 KW and FM emission.

NEW—Elmira Star-Gazette, Inc., Elmira, New York.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46700 kc.,** with coverage of 19,600 square miles.

MISCELLANEOUS APPLICATIONS

WBKY—University of Kentucky, Beattyville, Ky.—License to cover construction permit (B2-PED-30 as modified) which authorized move of transmitter, changes in equipment, changes in antenna, increase in power from 100 watts to 500 watts and change emission from A3 to Special.

WNRB-WEOF—The National Life and Accident Insurance Company, Nashville, Tenn.—Voluntary assignment of relay licenses to WSM, Incorporated.

WBPA-WADQ-WADP—The National Life and Accident Insurance Company, Nashville, Tenn.—Voluntary assignment of relay licenses to WSM, Incorporated.

WJOD—American Broadcasting Co., Inc., Washington, D. C.—Modification of license to change transmitter location in accordance with construction permit which authorized move of WEJC.

WEJC—National Broadcasting Co., Inc., Washington, D. C.—License to cover construction permit (B1-PRE-442) which authorized move of transmitter.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Lilee Products Company, 2017 South Michigan Avenue, Chicago, and Paul Grant, operating the Paul Grant Advertising Agency, 520 North Michigan Avenue, Chicago, are charged in a complaint with disseminating advertisements which represent falsely that the medicinal product designated "Lilee Brand Calcium Pantothenate Tablets" is effective in restoring the original color to gray hair. The complaint alleges that the product will not restore the original color, or any color resembling the original color, to gray hair, and that it cannot be truthfully represented as a gray hair vitamin or an anti-gray hair vitamin, as claimed by the respondents in their newspaper, periodical and other advertising. (5281)

Paul Panky & Co.—Violation of the brokerage section of the Robinson-Patman Act is alleged in a complaint issued against Paul M. Pankey, trading as Paul Pankey & Co., 2413 First Ave., N., Birmingham, Ala., engaged in business as both a broker and a direct buyer of food products including canned fish, canned fruits and vegetables, and other commodities. (5282)

Seaforth Chemical Works, et al.—A complaint alleging misrepresentation in connection with the sale of Karpet-Kleen, a product advertised for use in cleaning rugs, has been issued against Kenneth James McKenzie, trading as Seaforth Chemical Works, 1321 South Michigan Ave., Chicago, and American Rug & Carpet Co., 1347 Michigan Blvd., South, Chicago, and its president, J. H. Wallovick. (5283)

Whitney & Co., et al.—A complaint alleging violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of canned sea food products has been issued against Carl Rubenstein, individually and as agent for his son, Samuel Rubenstein, presently serving in the armed forces; Carl Rubenstein, partnership; Whitney & Company, Puget Sound & Alaska Trading Company, Inc., and James R. O'Brien, all of 3001 Smith Tower Building, Seattle, Wash. The respondents are charged with paying unlawful commissions or brokerage fees, or granting allowances or discounts in lieu thereof, to direct purchasers of their sea food products. (5279)

Youngs Rubber Corporation, 145 Hudson Street, New York, and Julius Schmid, Inc., 423 West 55th Street, New York, Manufacturers and distributors of rubber phophylactics, are charged in complaints issued with violation of Section 3 of the Clayton Act, which prohibits the practice of negotiating exclusive-dealing contracts where the effect may be to substantially lessen competition or tend to create a monopoly in any line of commerce. (5277-5278)

CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

Funsten Co., et al.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act in connection with interstate sale of sea food products has been issued against James J. Funsten, trading as the Funsten Company, 260 California Street, San Francisco; San Xavier Fish Packing Company, Monterey, California, and Pacific Marine Products Company, Astoria, Oregon. (5131)

STIPULATIONS

During the past week the Commission announced no stipulations.

FTC COMPLAINTS DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Deutsch & Marks, Inc., 15 Maiden Lane, New York, with certain misrepresentations in connection with the sale of jewelry, silverware, luggage and giftware. The complaint was dismissed because the respondent company has expressed its intention, in writing, to be bound by the Trade Practice Conference Rules promulgated by the Commission for the catalog jewelry and giftware industry, and has furnished satisfactory evidence of such intention.

The Commission also has closed without prejudice the case growing out of the complaint it issued against Max L. Kizelstein and Leon Sherman, trading as Kay-Sherman Luggage Co., 3 West 46th Street, New York. The complaint charged respondents with misrepresenting that they are wholesalers and sell luggage to the purchasing public at wholesale prices.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 9, March 2, 1945

BOARD OF DIRECTORS MEET

The NAB Board met in Washington on Tuesday and Wednesday (February 27-28). All members, with the exception of William B. Way, were present. Mr. Way was detained in Tulsa because of a banquet being given in his honor as retiring president of the Tulsa Club.

Hugh M. Feltis, Director-at-Large for large stations, submitted his resignation. Having accepted the presidency of Broadcast Measurement Bureau, he has severed his connection with KFAB and is, therefore, no longer eligible for membership on the Board. His resignation was accepted with regrets and Leonard Reinsch, WSB, Atlanta, was elected to serve out his term.

Membership and Meetings

A membership report was submitted which disclosed that there are now 654 active members and 37 associate members, or a total of 691. An analysis of the active membership shows that there are 635 AM stations, 16 FM stations, 1 television station, and 2 networks. There has been a gain of 31 active members in the three months since the Board last met in November.

The Board ratified the action of President Ryan in canceling plans for the membership meeting in 1945. They approved the holding of the remainder of the District meetings, consistent with the Government policy regarding outside attendance.

Acting under the By-Laws, which give the Board authority to conduct election of Directors-at-Large by mail ballot and to determine the date upon which the new NAB year shall begin, the Board designated July 1 as the beginning of the new year and the time at which newly elected District Directors and Director-at-Large shall assume their offices.

Pursuant to the By-Laws, the District Director members of the Board constituted a Nominating Committee for the purpose of selecting nominees for Directors-at-Large for the ensuing one-year term. Two Directors in each classification—large stations, medium stations and small stations—are to be elected. Those nominated are:

Large Stations—W. H. Summerville, WWL, New Orleans, Louisiana
J. Leonard Reinsch, WSB, Atlanta, Georgia
J. O. Maland, WHO, Des Moines, Iowa
Lee B. Wailes, KYW (Westinghouse Stations), Philadelphia, Pa.
Paul W. Morency, WTIC, Hartford, Connecticut

Medium Stations—G. Richard Shafto, WIS, Columbia, South Carolina
T. A. M. Craven, WOL (Cowles Stations), Washington, D. C.
Robert E. Priebe, KRSC, Seattle, Washington
Clarence T. Hagman, WTCN, Minneapolis, Minnesota
E. E. (Ted) Hill, WTAG, Worcester, Massachusetts
F. M. Doolittle, WDRC, Hartford, Connecticut
George M. Burbach, KSD, St. Louis, Missouri

Small Stations—Dietrich Dirks, KTRI, Sioux City, Iowa
Frank King, WMBR, Jacksonville, Florida
Clair R. McCollough, WGAL (Mason-Dixon Group), Lancaster, Pa.
Dale L. Taylor, WENY, Elmira, New York
Matthew H. Bonebrake, KOCY, Oklahoma City, Oklahoma
Marshall Pengra, KRNR, Roseburg, Oregon

These nominations will be officially submitted to the membership on May 15. Under the By-Laws, any ten members acting in concert or individually may submit additional nominations for any classification. Such nominations must be made within 15 days, or in this case by June 1. The voting is then conducted by mail and 20 days is given within which to cast the ballots. The two from among all the nominees in each classification receiving the highest number of votes are declared elected. The Directors so elected under the plan adopted by the Board, will assume their offices on July 1.

Because of the Government restriction on travel, it was necessary to divide the 5th District meeting into two sessions, one at Atlanta for the Georgia and Alabama broadcasters, and one at Jacksonville for the Florida and Puerto Rico broadcasters. An election of a District Director must be held in that District. The Board adopted a resolution providing for the holding of a mail election under the supervision of Ernst and Ernst. This election will be conducted within the next 30 days.

Broadcast Measurement Bureau

President Hugh M. Feltis of the Broadcast Measurement Bureau, reported a very gratifying response as a result of the nine District meetings thus far held. His report showed that a total of 285 stations have thus far subscribed. He expressed confidence that in the 9 District meetings lying ahead the total would be more than doubled. He further reported that the BMB Board is rapidly completing the details of internal organization and he expects to have the Bureau in full operation before April 1.

7th War Loan

Ted Gamble, Director of the War Finance Division of the Treasury Department, was the luncheon speaker on Tuesday and outlined the plans and purposes of the 7th War Loan Drive and the relation of broadcasters thereto. Full information regarding this matter will be sent to all broadcasters well in advance of the opening of the 7th War Loan Campaign. Tom Lane, Director of the Advertising, Press and Radio Section, and Eugene Carr, Assistant to the President of the G. A. Richards' stations (WJR-WGAR-KMPC), loaned to serve in the 7th War Loan, also were guests.

(Continued on page 84)

NAB Reports

THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

BOARD OF DIRECTORS MEET

(Continued from page 83)

Public Relations

John Patt (WGAR), Chairman of the NAB Public Relations Executive Committee, had expected to appear before the Board to present the report and recommendations of that Committee, which held a two-day session in Washington last week. Illness in his family prevented Mr. Patt from attending and the report was received from Willard Egolf, NAB Public Relations Director. Acting upon the suggestion of the NAB Public Relations Committee the Board adopted the following resolution:

WHEREAS the Association of Women Directors of the National Association of Broadcasters has undertaken a national campaign entitled "Women of the United Nations," wherein women broadcasters will make a significant contribution to world unity, and

WHEREAS, this campaign was launched on February 17, 1945, at a conference and luncheon in New York City, in which women representatives of many nations and leaders of women's organizations in the United States, including the wife of the President of the United States, Mrs. Franklin D. Roosevelt, participated, therefore

BE IT RESOLVED, that the Board of Directors of the National Association of Broadcasters commend the Association of Women Directors of NAB, together with Mrs. Dorothy Lewis, NAB Co-ordinator of Listener Activity, on this activity, and

BE IT FURTHER RESOLVED, that copies of this resolution shall be furnished to Mrs. Lewis and the officers and directors of the Association of Women Directors and spread upon the records of the National Association of Broadcasters.

Code Discussed

An interim report of the NAB Code Committee was submitted by Lee B. Wailes, Chairman. A lengthy general discussion of the Code and industry policy was had in order that the Committee might have the benefit of the thinking of the entire Board. At the suggestion of Chairman Wailes the Board Liaison Committee to the Code Committee was increased by two members. This Committee now consists of Kolin Hager, WGY; Don S. Elias, WWNC; F. M. Russell, NBC; Campbell Arnoux, WTAR; and Paul W. Morency, WTIC.

Following the Board meeting Chairman Wailes announced that March 31 and 22 were the dates tentatively set for the Code Committee to meet in New York.

Labor and Sales Departments Report

John Morgan Davis, NAB General Counsel and Labor Relations Director, reported on the work of the Labor Executive Committee in perfecting plans for the enlargment of the employer-employee relations service of NAB. These plans were initiated at a meeting of the Labor Executive Committee meeting held in Washington in January, and another meeting is to be held in New York next week (March 6-7).

The Board adopted the following resolution recommended by the Sales Managers Executive Committee:

WHEREAS the use of so-called "cow-catcher" and "hitch-hike" announcements militates against the interests of radio listeners generally by tending to create annoyance, confusion, and misunderstanding in the minds of such listeners, now, therefore,

BE IT RESOLVED, that the NAB Board of Directors urges all broadcasters to eliminate so-called "cow-catcher" and "hitch-hike" announcements from network, national spot and local programs at the earliest possible date.

They also adopted another recommendation of the Sales Managers Executive Committee as follows:

WHEREAS it should be the constant aim of radio station management to present programs of varied interest, and to promote such programs to the end that the number of sets in use shall increase, and

WHEREAS, the present practice of network, non-network and local advertisers of calling attention to their programs on competing stations or networks tends only to divide the existing audience, now, therefore,

BE IT RESOLVED, that the Board of Directors urges the broadcasting industry to discourage and ultimately to deny to network, non-network, and local advertisers the privilege of calling attention on one program to another program on a competing station or network.

Nominating Committee Enlarged

The Committee to Select a President to succeed Harold Ryan, whose term expires on July 1 and who has indicated his intention to give up the office at that time, reported progress. That Committee, made up of President Ryan, G. Richard Shafto, and James W. Shouse, was enlarged to include John J. Gillin, Jr., Paul W. Morency and Don S. Elias.

Miscellaneous Actions

A recommendation of the Radio News Committee was endorsed by the Board and ordered sent to all member stations. This report is now being prepared and will be sent out as a separate mailing within the next few days.

Don S. Elias, Chairman of the NAB Legislative Committee, gave an over-all report on legislative matters.

The plan for an Academy of Radio Arts and Sciences was discussed at some length and the matter was referred to the Public Relations Committee for detailed study and recommendation.

Hugh A. L. Halff, who for the past two years has served as District Director for the 13th District (Texas), tendered his resignation due to ill health. The resignation was accepted and Martin Campbell was elected by the Board to fill out Mr. Halff's term, which expires on July 1. At the recent 13th District meeting, Mr. Campbell had been elected for the following two-year term.

The Board voted to hold its next meeting at some time around the middle of May at Omaha, Nebraska.

PETRILLO ASSAILED AS MENACE TO AMERICANS

On George Washington's 213th birthday, James C. Petrillo, president, American Federation of Musicians, was assailed before the House Committee on Interstate and Foreign Commerce during consideration of the Dondero bill (NAB REPORTS, Vol. XIII, page 50) to prevent Petrillo from interfering with non-commercial educational and cultural broadcasts.

Accusations were made to the accompaniment of a children's symphony and were voiced by Joseph E. Maddy, president of the Interlochen, Michigan, music camp, who described Mr. Petrillo as "a despotic dictator" and a "menace to all Americans . . . an arrogant labor leader quarreling with school children."

Paul A. Porter, FCC Chairman, joined in support of the legislation already passed unanimously by the Senate in the Vandenberg bill to which the Dondero bill is a companion. Porter told the House Interstate Commerce Committee that the legislation "represents a desirable objective and merits approval."

Maddy and Porter said that the musicians, headed by Petrillo, had banned the broadcasts by the National High School Symphony Orchestra from Interlochen and subsequently threatened action against union musicians engaged as instructors at the Camp.

In an unusual show for Capitol Hill, Interlochen officials set up a complete motion picture plant, sound and all, in a committee room, and treated the lawmakers with symphony, as played by the Interlochen children.

Porter told the committee that the union's action against Interlochen "results in a severe restriction being imposed upon what may be broadcast" and added:

> "We must make sure that no arbitrary restrictions are imposed by private groups concerning material which shall be broadcast.
>
> "It is the commission's constant endeavor to see that the radio industry keeps itself as free as possible of all unreasonable restraint so that the radio stations are in a position to discharge their obligation of operating in the public interest. . . .
>
> "If an organization can prevent radio stations from broadcasting a concert by high school students, a precedent is established whereby broadcast of speeches, forums, conventions, etc., will be prevented."

Representative Dondero told the committee, "Liberty is being assassinated." He said that requests for a Navy band to participate in a soldiers' memorial service in his home town of Royal Oak had been refused "without any definite explanation," and Secretary Forrestal had not replied to his request for an explanation.

"I asked when did a musicians' union become more powerful than the Government of the United States?" said Mr. Dondero. "That question has not been answered yet."

Petrillo did not attend the hearing, nor was he represented. When no one responded for the union, Representative Wolverton (New Jersey) said:

> "Can we assume that they are not interested in what this committee does? In my eighteen years of Congressional services I have never seen a situation where a man so directly involved in proposed legislation was not even present or represented when it was up.

Other committee members nodded in approval and Representative Brown of Ohio interjected:

> "I don't believe this bill goes as far as desired. Seemingly, Mr. Petrillo is not interested in this committee. Perhaps he is doing the same thing he did toward the President of the United States—taking a defiant attitude. Mr. Petrillo has asked for it, and it is about time Congress let him have it."

Chairman Clarence F. Lea of California said he wanted definite fines and imprisonment penalties written into the legislation, to be applied to any violator. Mr. Lea added:

"Members seem to want broader legislation than we have before us."

Army and Navy officers appeared before the committee and told the members of protests by the union locals against performances by service bands. These, they indicated, were "borderline" cases where the local contended a service band competed with local musicians.

The officers explained that regulations prohibit service men from competing with private arts, trades and professions, and that their bands are permitted to appear at patriotic and non-commercial functions.

One point, often mentioned in the discussions, was emphasized by Representative Brown who said that although Petrillo's wings must be clipped there was no desire to interfere with the legitimate functions of a union.

REPRINTS OF HOLLISTER TALK BEFORE NRDGA CONVENTION

There was so much sound advice for retailers and encouragement for broadcasters in the talk delivered by Paul M. Hollister, Vice-President of the Columbia Broadcasting System, before the annual convention of the National Retail Dry Goods Association in New York on January 11, that NAB obtained permission to reprint this address. With this issue of the NAB REPORTS a copy of the reprint is enclosed. A separate mailing of the reprint will be made to radio station commercial managers. Additional copies are available on request.

PETRILLO AFTER TELEVISION

In the February issue of "The International Musician," official journal of the American Federation of Musicians, the policy of AFM toward television is high-lighted. In a box on the front page we find the following:

> "Re Television: By order of the International Executive Board, members of the American Federation of Musicians are not permitted to play for television in any form until further notice. (signed) James C. Petrillo, President, AFM."

At the AFM meeting in Chicago last summer a report was adopted, the essential features of which are a statement that "television, if not controlled will have the same nefarious effect on the livelihood and future of the members of the American Federation of Musicians as the 'talkies' had when they made their appearance. * * *"

The report empowered the creation of a committee to collaborate with Petrillo in order to enact laws and measures which they deemed beneficial to the AFM membership with respect to television. The above order is the result.

DRASTIC ACTION DEMANDED

The following editorial, entitled "Petrillo and Congress," appeared in a recent issue of *Editor & Publisher:*

> James Caesar Petrillo has nothing whatever to do with the newspaper business, except that many newspapers own or are financially interested in radio stations and this gentleman rules the networks with a firmer hand than the heads of those organizations.
>
> However, Petrillo is a symptom of what is wrong with our labor laws which permit a labor leader to wield the sword of Damocles over all employers of men in his union, and also to coerce the individual worker to do his bidding.
>
> Last week we pointed out his refusal to recognize a decision of the NLRB and the rights of other unions and individuals, and his ability to dictate terms to the large broadcasting networks.
>
> This week his action in placing the National Music Camp on the "unfair list" has the effect of ruining any radio station that dares to employ musicians who might have the temerity to work for the Music Camp, and it also ruins any such musician by making it impossible for him to make a living at his profession.
>
> Petrillo now holds the power of life and death over one segment of this nation's business and people, just as surely as Hitler holds it over the entire German people.

Congress can legislate against this man, Petrillo, and deprive him of his arbitrary powers, but that will not solve the evil of which he is the most troublesome symptom.

Not until Congress has the guts to review the entire labor picture and correct the federal laws controlling it will we have any fair and equitable distribution of power between industry and labor. Individuals' rights are alleged to be sacred in this country but they are rapidly being sacrificed to the powerful labor unions who care nothing for such rights, or the rights of management, and most often can't see into the future beyond the ends of their noses.

ALLOCATION ARGUMENTS UNDER WAY

The oral arguments on the allocations findings of the Federal Communications Commission opened in Washington on Wednesday (28th) and are continuing. Wednesday's and Thursday's arguments were devoted largely to the presentation of the views of those representing Frequency Modulation broadcasters.

NAB is closely following the sessions and will have a full transcript of all of the arguments presented. Such portions of these arguments as are deemed of interest to broadcasting will be published in the near future.

CAPPER-JOHNSON BILLS WOULD PROHIBIT ADVERTISING OF ALCOHOLIC BEVERAGES

Senator Arthur Capper (R) of Kansas introduced S. 599—a bill prohibiting the transportation in interstate commerce of advertisements of alcoholic beverages.

This bill would cover advertising by any newspaper, periodicals, news reel, photographic film, or record for mechanical reproduction advertising alcoholic beverages or containing the solicitation of an order for alcoholic beverages.

The bill introduced by Senator Edwin C. Johnson (D) of Colorado, S. 623, provides that no radio station or owner thereof shall receive any payment for the service of broadcasting any advertisement or information concerning any alcoholic beverages if the purpose of such advertising or information is to induce the purchase or use of any alcoholic beverage. Both these acts would subject the licensee to revocation under the Communications Act.

Both bills were referred to the Senate Committee on Interstate Commerce.

NAB CONVENTION ADVOCATED BY EDITOR & PUBLISHER

Suggesting that the *American Society of Newspaper Editors* was "too modest in calling off its [1945] meeting," *Editor & Publisher* comments in its issue of February 10, as follows:

"If any national conventions are justified in spite of the Office of War Mobilization ruling against them, we think it is the annual business sessions of the American Society of Newspaper Editors, the American Newspaper Publishers Association and the National Association of Broadcasters.

"The press and radio of this country have contributed millions of dollars in time and money to the war effort. They have played increasingly important roles in every home front campaign and they have brought the story of the war back from the fronts with a degree of accuracy and speed never before contemplated.

"The annual meetings of these two large communications industries would certainly pass scrutiny as being in the interest of the war effort. But the ASNE, ANPA and NAB have suspended plans for their annual meetings seeking to cooperate with the government in correcting a drastic transportation problem. The directors of these organizations again are to be congratulated on their patriotism."

NAB wishes to express its thanks for this praise. *Editor & Publisher* goes on to say:

"Director of War Mobilization James Byrnes would do well to consider the value of such a meeting . . . not only in keeping the people better informed but in revealing public thinking and attitudes to goverment executives."

TELEVISION: "INTERNATIONAL LANGUAGE"

New York, February 18—Brigadier General David Sarnoff, President of the Radio Corporation of America, said here today that television would become an "international language, a medium through which nations will see themselves as others see them."

"People everywhere will understand, as never before, how freedom functions in democracies," he said.

General Sarnoff spoke at a dinner given in memory of Wendell L. Willkie. He received an award as "an early believer" in the importance of radio as a cultural and educational agency.

"I OBJECT"—CRANDALL

Answering an editorial, "A Tip to the Networks," which appeared in the January 30th edition of *The Christian Science Monitor*, George Crandall (CBS) does a neat job of countering in his reply which appears in a later edition of the *Monitor* (Feb. 17):

To the Christian Science Monitor:

As the editor of a highly reputable newspaper, what would be your reactions under the following hypothetical circumstances?

You are listening to the radio when, suddenly, a speaker begins lambasting the newspaper business for the lax standards (if any) of its advertising columns. He cites examples of obnoxious newspaper advertising—and there are examples in abundance he could quote if radio would permit such language. He then warns the entire industry to mend its ways or lose its readers to papers that carry no advertising whatever.

Knowing that *The Christian Science Monitor* is guiltless in this matter, what would you . . .? But let me cite an example from the other side of the fence.

In May, 1935, the Columbia Broadcasting System barred from its network all advertising of laxatives, deodorants, and the like. It has a Commercial Editing Division that not only passes on the content of all commercials, but limits them to specified time allotments. It has, in short, an unbroken ten-year record of "leadership in getting rid of obnoxious radio advertising."

Your January 30th editorial—"A Tip to the Networks"—affected me much as I imagine my hypothetical radio speaker would affect you.

George Crandall,
Columbia Broadcasting
System, Inc.

New York

HOME TOWN SHOWS RING THE BELL

"Let's Go to Town" programs, broadcast three times weekly since the start of the year, will be on a six per week schedule as soon as the backlog of completions will warrant it, according to Armed Forces Radio Service, Los Angeles.

Reported response to these programs from overseas personnel is phenomenal. Units of the industry receive letters direct, as well as "thank you" telephone calls and letters from friends and relatives, in the USA, of the men and women who heard the programs 'round the world.

In Rochester

Rochester stations are among those that have learned at first hand how much the programs are liked and appreciated. Says William J. Adams, program director, WHEC:

"We are just now beginning to receive reports from the first 'Let's Go to Town' program produced by the three Rochester radio stations. The reaction in favor of these programs has been so great—phone calls, letters . . . the praise for the word from home is so sincere and outspoken that we are wondering if it would be possible for the three stations in Rochester to continue to make similar programs for overseas consumption."

"I Almost Crawled Inside the Radio"

Early in January the Richmond, Virginia, hometown program was broadcast. January 12, Irvin G. Abeloff (WRVA), Task Force Commander for this job, had received the following expression of satisfaction from a Navy listener 5,000 miles from home:

> "I was lucky enough this afternoon to turn on the radio and catch the last half, or last fifteen minutes, of the program originating in Richmond—the home town. . . . Unless you have been 5,000 miles from home, as I am right now, somewhere in Brazil, you have no idea what a thrill it is to get such news right from home. *I almost crawled inside the radio.*"

Houston Allocation Doubled

The allocation committee for "Let's Go to Town" programs has authorized the production of two global programs for the Houston area instead of one. Kern Tips, KPRC, is Task Force Commander.

16 More Shows Completed

Since February 16, sixteen additional "Let's Go to Town" programs, from ten districts, have been produced as follows:

DISTRICT I

Boston....................Harold Fellows, WEEI, *TFC
(1st of 2 shows)

DISTRICT II

New York City-Brooklyn-Queens......Arthur H. Hayes, WABC, *TFC (2 of 6 shows)
Rochester..................Gunnar Wiig, WHEC, *TFC
(2nd of 3 shows)

DISTRICT III

Baltimore...............Harold C. Burke, WBAL, *TFC

DISTRICT IV

Raleigh..............Richard H. Mason, WPTF, *TFC
Washington, D. C.............Fred Shawn, WRC, *TFC
(2nd of 2 shows)

DISTRICT VII

Cincinnati..................R. E. Dunville, WLW, *TFC
Lexington.................Lindsay Nunn, WLAP, *TFC

DISTRICT VIII

Indianapolis..........C. Bruce McConnell, WISH, *TFC
(2 of 3 shows)

DISTRICT IX

Milwaukee...............G. W. Grignon, WISN, *TFC
Racine....Messrs. Newcomb & LePoidevan, WRJN, *TFC

DISTRICT XI

Fargo.....................E. C. Reineke, WDAY, *TFC

DISTRICT XIII

El Paso.....................Karl Wyler, KTSM, *TFC

DISTRICT XVII

Seattle.....................W. B. Stuht, KOMO, *TFC

---

* Task Force Commander.

PROGRAM FIGHTS JUVENILE DELINQUENCY

Kansas City, March 1.—Interest in KMBC's "Big Brother Club," a five-a-week western strip featuring KMBC's singing cowboy, Smokey Parker, and his Palomino mount, "Fire," forced a rush re-order on the give-aways offered to youngsters writing in to join this club of the air.

The club was originated by KMBC as part of a civic movement to curb juvenile delinquency.

Kids get a Big Brother microphone pin and a membership card bearing the Big Brother creed, which ties in with the idea underlying the program.

Framed "distinguished service" certificates, for which non-members are equally eligible, are awarded each Friday, upon recommendations made by local youth leaders in Kansas City.

Club, which is a part of KMBC's educational program, is heard at 5:30, Monday through Friday, under the direction of Dr. Charles F. Church, Jr., the station's educational director. Script is by Tom Eells, recently appointed assistant to Doctor Church.

KMBC is also plugging Radio's 25th Anniversary with some fine brochures.

HUMAN INTEREST PROGRAMS

Word comes from Ironwood, Michigan, that WJMS is stimulating listener interest with programs built around human interest stories of people in the Gogegic Iron Range.

Listeners are encouraged to write, in their own words, stories about someone in the Range. If the story is true, it is rewritten for future radio programs.

Contributors are cautioned to make certain that names and addresses are on all letters sent in to assure proper consideration and credit.

FCC ORDER RE THE CLEAR CHANNEL HEARINGS

Docket No. 6741

In the Matter of

CLEAR CHANNEL BROADCASTING IN THE STANDARD BROADCAST BAND

Order

WHEREAS, this Commission and its predecessor, the Federal Radio Commission, have since November 11, 1928 designated certain channels in the standard broadcast band as "clear channels" the purpose of which is to render service over large areas and to bring service to the rural population of the United States; and

WHEREAS, there are still large areas of the continental United States which have no radio service during the day and no primary radio service at night; and

WHEREAS, the Commission has received many applications requesting authorization for the operation of additional stations and for the use of higher power on the clear channel frequencies; and

WHEREAS, these applications raise issues which can more appropriately be considered in a general hearing than in a hearing limited to particular applications; and

WHEREAS, the North American Regional Broadcasting Agreement expires March 29, 1946, and it is desirable to determine what, if any, changes are necessary in connection with clear channel assignments prior to a renegotiation of the treaty;

NOW, THEREFORE, IT IS ORDERED, this 20th day of February, 1945, that a hearing be held before the Commission en banc commencing at 10:30 A. M. on May 9, 1945, at the offices of the Commission in Washington, D. C., for the purpose of determining:

1. What recommendation concerning the matters covered by this order the Commission should make to the Department of State for changes in provisions of the North American Regional Broadcasting Agreement.
2. Whether the number of clear channels should be increased or decreased and what frequencies in the standard broadcast band shall be designated as 1-A channels and as 1-B channels.

3. What minimum power and what maximum power should be required or authorized for operation on clear channels.

4. Whether and to what extent the authorization of power for clear channel stations in excess of 50,000 watts would unfavorably affect the economic ability of other stations to operate in the public interest.

5. Whether the present geographical distribution of clear channel stations and the areas they serve represent an optimum distribution of radio service or whether the fair, efficient, and equitable distribution of radio service among the several states and communities specified in Section 307(b) of the Communications Act requires a geographical redistribution at this time.

6. Whether it is economically feasible to relocate clear channel stations so as to serve those areas which do not presently receive service.

7. What new rules or regulations, if any, should be promulgated to govern the power or hours of operation of Class II stations operating on clear channels.

8. What changes the Commission should order with respect to geographical location, frequency, authorized power or hours of operation of any presently licensed clear channel station.

9. Whether and to what extent the clear channel stations render a program service particularly suited to the needs of listeners in rural areas.

10. The extent to which the service areas of clear channel stations overlap and the extent to which this involves a duplication of program service.

11. What recommendations, if any, the Commission should make to the Congress for the enactment of additional legislation on the matters covered by this order.

It is further ordered, that persons or organizations desiring to appear and testify shall notify the Commission of such intention on or before April 2, 1945, stating the names of all witnesses who will appear, the topic each will discuss and the time expected to be required for the testimony.

Federal Communications Commission,
T. J. Slowie, *Secretary.*

945 STANDARD BROADCAST STATIONS

During the month of January 1945, the FCC granted two new construction permits, and licensed two stations to operate. A comparative table of the number of standard broadcast stations by months, follows:

	1944											1945	
	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1
Operating	910	909	909	909	910	912	913	912	914	916	919	919	921
Construction	4	8	9	11	13	12	13	16	15	15	18	24	24
	914	917	918	920	923	924	926	928	929	931	937	943	945

Federal Communications Commission Docket

HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, March 5. It is subject to change.

Monday, March 5

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Renewal of license; **580 kc.**, 5 KW, unlimited, DA-night.

Federal Communications Commission Action

APPLICATIONS GRANTED

KPDN—R. C. Hoiles (assignor), C. H., Harry and Jane Hoiles, a partnership, doing business as Radio Station KPDN (assignee), Pampa, Texas.—Granted consent to voluntary assignment of license of Station KPDN from R. C. Hoiles to C. H., Harry and Jane Hoiles, a partnership, doing business as Radio Station KPDN; monetary consideration is $1.00. (B3-AL-468)

KQV—KQV Broadcasting Co. (assignor), Allegheny Broadcasting Corp. (assignee), Pittsburgh, Pa.—Granted consent to assignment of license of Station KQV from KQV Broadcasting Co. to Allegheny Broadcasting Corp.; no monetary consideration involved, the assignee owning all the capital stock of the assignor. (B2-AL-466)

KTUC—Tucson Broadcasting Co. (transferor), Burridge D. Butler (transferee), Tucson, Arizona.—Granted consent to acquisition of control of Station KTUC from the present stockholders, collectively, by Burridge D. Butler, who now owns over 49 per cent of outstanding stock, by the purchase of 23 shares of Treasury stock for a consideration of $2,300. (B5-TC-424)

KFFA—The Helena Broadcasting Co., J. Q. Floyd, et al., Helena, Ark.—Adopted order granting petition for rehearing filed by A. L.. Chilton and Lenore H. Chilton, a partnership, d/b as KGHI Broadcasting Service (KGHI), Little Rock, Ark., directed against the Commission's grant without hearing on January 16, 1945, of the application of Helena Broadcasting Co. (KFFA), for construction permit to change frequency from **1490** to **1230 kc.**; set aside said grant; and designated the application for hearing. (B3-P-3724)

WKBZ—Ashbacker Radio Corp., Muskegon, Michigan.—Adopted order denying petition filed by WKBZ for a review by a quorum of the Commission on a ruling February 7, 1945, by the Presiding Officer of the Motions Docket denying the motion filed by WKBZ to amend issue No. 3 of the Commission's Notice of Hearing in re application of WKBZ for construction permit (Docket No. 6628); and sustained the action of the Presiding Officer of Motions Docket.

WJEF—John E. Fetzer and Rhea Y. Fetzer, d/b as Fetzer Broadcasting Co., Grand Rapids, Mich.—Adopted decision and order denying petition filed by Ashbacker Radio Corp. (WKBZ) for hearing, rehearing and other relief, directed against the action of the Commission February 8, 1945, granting without hearing the application of WJEF for license. (B2-L-1855)

DESIGNATED FOR HEARING

Copper City Broadcasting Corp., Rome, N. Y.—Designated for hearing application for construction permit for a new standard broadcast station to operate on **1450 kc.**, 250 watts, unlimited time; hearing to be on issue of Supplemental Statement of Policy of January 16, 1945. (B1-P-3851)

LICENSE RENEWALS

WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.—Granted further extension of license, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than May 1, 1945. (B3-S-458)

WEBC—Head of the Lakes Broadcasting Co., Duluth, Minn.—Granted authority to make changes in automatic frequency control unit of auxiliary transmitter. (B4-F-285)

WINS—Hearst Radio, Inc., New York City.—Granted license to use formerly licensed main transmitter as an auxiliary transmitter, with power of 1 KW, employing DA day and night. (B1-L-1860)

WJOD—American Broadcasting Co., Inc., Washington, D. C.—Granted modification of relay broadcast station license to move transmitter to 11th and Penna. Ave. N.W. (B1-MLRE-117)

WEJC—National Broadcasting Co., Inc., Washington, D. C.—Granted license to cover construction permit which authorized move of relay station transmitter to 11th and Penna. Ave. N.W. (B1-LRE-439)

MISCELLANEOUS APPLICATIONS

The following applications for new high frequency (FM) broadcast stations were placed in the pending files in accordance with the Commission's policy of February 23, 1943:

The Ohio Broadcasting Co., Marion, Ohio; S. E. Adcock, Knoxville, Tenn.; Elmira Star-Gazette, Inc., Elmira, N. Y.; Lehigh Valley Broadcasting Co., Allentown, Pa.; Brownsville Herald Pub. Co., Brownsville, Texas; Valley Evening Monitor, Inc., McAllen, Texas; Beckley Newspapers Corp., Beckley, W. Va.; The Valley Publishing Co., Harlingen, Texas; Great Trails Broadcasting Corp., Dayton, Ohio; Dubuque Broadcasting Co., Dubuque, Iowa.

The following FM amended applications were retained in the pending files pursuant to policy adopted February 23, 1943:

E. Anthony & Sons, Inc., New Bedford, Mass.; Plaza Court Broadcasting Co., Oklahoma City, Okla.

The following applications for new commercial television stations were placed in the pending files in accordance with Commission's policy of February 23, 1943:

Raytheon Mfg. Co., New York City; Debs Memorial Radio Fund, Inc., New York City.

Amended application of Hearst Radio, Inc., Baltimore, Md., was returned in the pending files in accordance with Commission's policy of February 23, 1943.

College of the Pacific, Stockton, Calif.—Placed in the pending files application for new noncommercial educational broadcast station.

APPLICATIONS FILED AT FCC

580 Kilocycles

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—License to cover construction permit (B3-P-3062) as modified, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and move of transmitter and studio.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Authority to determine operating power by direct measurement of antenna power.

610 Kilocycles

WHKC—United Broadcasting Co., Columbus, Ohio.—License to cover construction permit (B2-P-3657) which authorized change in frequency, increase in power and hours of operation, and installation of directional antenna for night use.

WHKC—United Broadcasting Co., Columbus, Ohio.—Authority to determine operating power by direct measurement of antenna power.

640 Kilocycles

WHKK—United Broadcasting Co., Akron, Ohio.—License to cover construction permit (B2-P-3566) as modified, which authorized change in frequency, increase in power, change in hours of operation, installation of directional antenna for day and night use, and move of transmitter and studio.

WHKK—United Broadcasting Co., Akron, Ohio.—Authority to determine operating power by direct measurement of antenna power.

990 Kilocycles

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—License to cover construction permit (B2-P-3721) which authorized move of old main transmitter to present site to be operated as an auxiliary, with power of 1 KW, employing directional antenna day and night .

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Authority to determine operating power by direct measurement of antenna power.

1160 Kilocycles

KSL—Radio Service Corp. of Utah, Salt Lake City, Utah.—Extension of special service authorization to operate with two Federal telegraph tubes in last radio stage for the period 5-1-45 to 5-1-48.

1240 Kilocycles

WOMT—Francis M. Kadow, Manitowoc, Wis.—License to cover construction permit (B4-P-3718) which authorized increase in power and changes in transmitting equipment.

1340 Kilocycles

KCKN—The KCKN Broadcasting Co., Kansas City, Kans.—Authority to determine operating power by direct measurement of antenna power.

WDAK—L. J. Duncan, Leila A. Duncan, Josephine A. (Keith) Rawls and Effie H. Allen, d/b as Valley Broadcasting Co., Columbus, Ga.—Voluntary assignment of license to L. J. Duncan, Leila A. Duncan, Josephine Rawls, Effie H. Allen, Allen M. Woodall, and Margaret A. Pill, d/b as Valley Broadcasting Company. .

1370 Kilocycles

WFEA—New Hampshire Broadcasting Company, Manchester, N. H.—Voluntary assignment of license to H. M. Bitner.

1480 Kilocycles

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Modification of license to change corporate name to Atlantic Broadcasting Company, Inc.

MISCELLANEOUS

NEW—S. E. Adcock, Knoxville, Tenn.—Construction permit for a new developmental broadcast station to be operated on **12,862.5, 6,425 kc.**, or other frequencies as the Commission may assign, power of 200 watts and A3 emission.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Parrott & Company, 320 California St., San Francisco, and Superior Fisheries, Inc., 1709 West Eighth St., Los Angeles, are charged in a complaint with violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of food products, including canned fish, canned fruits and canned vegetables, and other commodities. Parrott & Company owns all of the capital stock of Superior Fisheries, Inc., and maintains branch offices in Seattle and Spokane, Wash., Portland, Oreg., and Los Angeles. (5284)

South Coast Fisheries, Inc., 820 Ways St., Terminal Island, Calif., is charged with violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of sea food products, including canned tuna, canned mackerel and canned sardines. (5285)

CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

Durakote Paint Corp., 1775 Broadway, New York, and its officers, individually and as officers of the corporation, have been ordered to cease and desist from certain misrepresentations in connection with the interstate sale of paint sold under the brand name "Durakote." The respondent officers are Philip H. Eisgrau, president; Cele Eisgrau, vice president; Nathan Pashman, secretary; and Theodore Shapiro, treasurer. (5018)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Acquin Pharmacal Co., et al.—A stipulation to discontinue misrepresentation of the therapeutic properties of a medicinal preparation designated "Acquin" has been entered into by Gottlieb Bass, trading as Acquin Pharmacal Co., 8005 Alabama Ave., St. Louis, and Clark F. Ross, trading as Ross Advertising Service, 1031 Big Bend Blvd., St. Louis. Ross prepares and disseminates advertising for the product, which is sold and distributed by Bass. They agree to cease and desist from representing that the preparation will overcome fatigue, cure headaches or relieve congestion due to headaches or head colds, or that it is prescribed by doctors for the relief of minor aches or pains. Bass also stipulates that he will cease representing that the product is formulated from a doctor's prescription or that it is safe for use. (03253)

Battle Creek Dietetic Supply Co., Battle Creek, Mich., entered into two stipulations to discontinue certain misrepresentations in connection with the sale of Health House Brand health foods and of a vitamin preparation advertised as being capable of restoring the natural color to hair. (03248-03251)

Irene Blake Cosmetics, Inc., 101 West 15th St., New York, stipulated that it will cease representing, through the use of the word "Chinese," through the use of Chinese words or characters or picturizations indicative of Chinese origin, or in any other manner, that cosmetics which are made or compounded in the United States are made or compounded in China or in any other foreign country. The stipulation provides, however, that if any of the ingredients of the cosmetics are produced in a foreign country, the country of origin may be stated if it is immediately accompanied in equally conspicuous type by a statement that the cosmetics are made or compounded in this country. (3976)

Brockway Glass Company, Inc., Brockway, Pa., manufacturer of glass containers including nursery bottles, stipulated that it will cease representing, by means of guarantee agreements, or otherwise, that any of its products are guaranteed "forever" or for any greater extent of time than that during which, by reasonable estimate, it will be capable of complying with the provisions contained in such agreement; and representing, by use of the word "guaranteed" or other words of like meaning, that a product is guranteed unless clear and unequivocal disclosure be made in direct connection therewith of exactly what is offered by the way of security, as, for example, replacement or refund. (3978)

Campbell's Foods, 712 Locust St., Des Moines, Iowa, and E. M. Meneough, trading as Meneough Advertising Agency, 720 Grand Ave., Des Moines, entered into a stipulation to discontinue misrepresenting the properties of a vitamin preparation designated "Calcipan," advertised as being capable of restoring the natural color to hair and preventing gray hair. Campbell is engaged in the sale and distribution of the preparation, the advertisements for which are prepared and disseminated by Meneough. (03250)

Cupples Company—A stipulation to discontinue misrepresenting the therapeutic properties of a preparation designated "Kent Vitamins A B_1 D" has been entered into by Cupples Company, Cupples Station, St. Louis. (3982)

Dave Minor Company, 230 East Ohio St., Chicago, engaged in the sale of a set of piano lessons entitled "Music Is Fun for Everyone—the Ear Way" and a collection of songs entitled "Dave Minor's Famous Play by Ear Song Book," entered into a stipulation to cease and desist. (3977)

Meat Industries Laboratory, Inc., 366 West 15th Street, New York, engaged in the sale of meat-curing and seasoning compounds, has entered into a stipulation to discontinue the use in its corporate or trade name, or in any other manner, of the word "Laboratory" or any similar term or designation which may imply that it owns and operates a laboratory equipped for the compounding and testing of products and for research in connection therewith. (3981)

Old Town Ribbon & Carbon Company, Inc., 750 Pacific Street, Brooklyn, entered into a stipulation to cease representing that it was the "first in the field" to manufacture or sell the product known as black spirit carbon paper. (3984)

N. B. Remedy Co., 412C East St. John St., Seattle, stipulated that in connection with the sale of N. B. Remedy, they will discontinue representing that the preparation is of value in the prevention, treatment or cure of mastitis or in the treatment of cowpox; or that the quality or quantity of the cow's milk will increase after the preparation has been given for mastitis. (03249)

Save Electric Corp., 615 Front St., Toledo, Ohio, have entered into a stipulation to cease and desist from certain misrepresentations in connection with the interstate sale of electric light bulbs designated "Verd-A-Ray." (3980)

Soi Jus Co., 1 North Western Ave., Chicago, entered into a stipulation to cease and desist from misrepresentation in connection with the sale of a food preparation designated "Golden Brand Soi Jus." He agrees to stop representing that the preparation contains vitamin D or a vitamin recognized as vitamin F, or that it contains a substance of benefit to the hair, nerves or skin; that it is nonfattening or incapable of increasing body weight; or that brands of soya oil other than Golden Brand Soi Jus are produced through a process which destroys or removes any significant amount of the nutritional properties of soya oil. (03252)

20th Century Hat Co., Inc., 65 East South Water St., Chicago, entered into a stipulation to discontinue representing in any manner that women's hats made in whole or in part from old, used or secondhand materials are new or composed of new materials. (3979)

Washington's Haberdashery, Inc., 1104 F St., N. W., Washington, D. C., also trading as Marilyn Bootery, stipulated that it will discontinue misrepresenting the fiber content of women's hosiery. The corporation, which operates two retail stores in Washington, agrees to cease and desist from use of the word "Chiffon" to describe merchandise not made from fabric composed of fibers of silk, and from use of the same word or any other silk-connoting term or representation in referring to such merchandise so as to imply that the merchandise is silk. (3975)

FTC CLOSES CASE

A stipulation to cease and desist from certain misrepresentations in connection with the sale of "Granidur" memorial monuments has been entered into with the Federal Trade Commission by William Reinhard, Carl Reinhard and Robert Reinhard, copartners trading as Economy Monument Co., 4145 West Kinzie St., Chicago, and Nelson Friis, who at one time was sales manager for the copartnership.

After accepting the stipulation, the Commission closed without prejudice the case growing out of the complaint it had issued against the respondents on February 9, 1945, charging them with misrepresenting the durability, quality and composition of their monuments. Under the stipulation the respondents agree to cease and desist from:

(1) Use of the words "manufactured granite," "genuine Granidur," or "solid Granidur" to designate monuments not composed of natural granite rock;

(2) Describing such monuments as "genuine" or "solid" Granidur or as "granite" or "manufactured granite," or as having been "executed by skilled craftsmen in a time tested material," or in any other manner representing that the monuments are composed of or actually carved from natural granite rock;

(3) Use of statements or terms such as "enduring," "lasting," "retaining its high polish and original appearance, regardless of climatic conditions," or any similar expression having the tendency or capacity to mislead or deceive purchasers with respect to the durability of such monuments or their capacity to withstand the elements;

(4) Representing, as by use of the statement "comparable to the more costly monuments," that such products are of a quality or value or possess lasting properties in excess of what is actually a fact.

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 10, March 9, 1945

1ST DISTRICT MEETING, BOSTON

First Day

Although he urged the broadcasters present to vote for a new Director from the First District, Paul W. Morency of WTIC, who has served the industry untiringly in trade association activities, was re-elected unanimously to serve another two-year term at the closing session of the two-day meeting in Boston on March 5 and 6.

In his opening remarks, District Director Morency reviewed many of the problems with which the industry is faced, and urged the station executives to resolve these problems in their discussions to avoid arbitrary rules or regulations that may limit their freedom of action.

Urging broadcasters to fight ceaselessly for freedom of speech and freedom of the press, Maurice J. Tobin, Governor of the Commonwealth of Massachusetts, was the principal speaker at luncheon on the opening day. His forceful defense of the right of free speech and a free press brought enthusiastic and prolonged applause from the radio stations executives attending the luncheon meeting.

Following a presentation of industry problems and opportunities by J. Harold Ryan, NAB President, at the opening session, Walter Hackett of the Office of War Information thanked the broadcasters for their continued support of the government programs of war information, and urged them to redouble their efforts to inform the American public that a long, hard and bloody fight lies ahead before peace can return to the United Nations.

The first morning session was highlighted by an unusually clean and concise exposition of the part that women are playing in broadcasting by Mrs. Nell Daugherty of WSRR. Prominent in the activities of the Association of Women Directors, Mrs. Dougherty brought a new concept of the role of women in broadcasting to the station executives present.

BMB Hits New Peak

Most of the afternoon session on the opening day was devoted to an exposition of the Broadcast Measurement Bureau by Hugh M. Feltis, BMB President. His presentation was supported with talks by Miss Linnea Nelson of J. Walter Thompson Company and Dr. Robert Elder of Lever Brothers Company. At the conclusion of the two-day conference, the First District had set a record for subscriptions to BMB with 43 out of 47 stations signed up for a new high total of stations and percentage of subscriptions. (See coming *BMB Bulletin No. 10.*)

After the BMB presentation, Miss Mildred P. Stanton of WORC, District Chairman of the Public Relations Committee, presented the report for that group and was followed by Wayne H. Latham of WSPR, District Chairman of the Program Managers Committee, who detailed the activities of that organization.

At the close of the business session on Monday afternoon, radio stations WBZ, WCOP, WEEI, WMEX, WNAC and WORL of Boston with WTIC of Hartford played hosts to the broadcasters at a reception and cocktail party.

Second Day

The meeting on the second day opened with the small market stations panel which was presided over by Robert T. Mason of WMRN, Marion, Ohio, Chairman of the NAB Small Market Stations Committee, who attended the First District Meeting to present the findings of the group and to gain the opinions and ideas of small market stations in New England.

The second morning meeting closed with the sales managers clinic which had Kingsley F. Horton of WEEI, District Chairman of the sales managers committee, as chairman. Lewis H. Avery presented a new set of graphs and charts embodying the up-to-date statistics of radio and reviewed the proposed revisions of the NAB-AAAA Standard Contract for Spot Broadcasting. He also introduced Miss Helen A. Cornelius, who outlined the opportunities and problems of retail radio advertising. She also reviewed the steps taken in setting up the clinical test of broadcast advertising by Joske's of Texas in San Antonio.

Following luncheon on the second day, Howard S. Frazier, NAB Director of Engineering, and Italo A. Martino of WDRC, District Chairman of the Engineering Committee, reviewed the recent allocations proposals and other technical problems. The meeting closed with a review of labor relations by John Morgan Davis, NAB General Counsel.

At the conclusion of the formal program, there was a general round-table discussion of industry problems and a review of pending legislation and regulations that will affect broadcasting.

2d District meeting was held in New York yesterday and today (Thursday and Friday, 9th, 10th). Complete story on this meeting will be carried in next week's REPORTS, and in *BMB Bulletin Ten.*

PAPERS SEE JOHN L. LEWIS FOLLOWING IN PETRILLO'S FOOTSTEPS

The *Washington Star*, the *New York Times*, and the *United States News*, see John L. Lewis as one who is following in the footsteps of James C. Petrillo on "The Royalty Issue," as it is termed by the *Star*.

Editorial from the *Washington Star*, March 5:

The Royalty Issue

"There is doubt in the minds of some that John L. Lewis is wholly serious in his attempt to levy what is in effect a private tax of ten cents on each ton of coal mined, the proceeds to be paid into a union fund which unquestionably would be controlled by him. Mr. Lewis seems to be serious enough. He has served notice that the coal operators must 'accede' the miners the 'right to live'—which in his estimation means yielding to his demands. 'If you don't accede it,' he says, 'we will take it anyhow.' Furthermore, Mr. Lewis has a perfectly valid precedent in the Government's weak surrender to James C. Petrillo, head of the American Federation of Musicians, who demanded

(Continued on page 94)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

PAPERS SEE JOHN L. LEWIS FOLLOWING PETRILLO'S FOOTSTEPS

(Continued from page 93)

and secured the right to levy a union tax on the manufacture of phonograph records. If the consuming public can be taxed for the benefit of the musicians, Mr. Lewis might ask, why cannot the consumers be taxed for the benefit of the miners?

"Events will show whether the mine union head intends to make a fight on this point. But the fact that he has made the demand, coupled with Mr. Petrillo's earlier success in the same field, should be sufficient to impress any one with the seriousness of the issue which has been raised.

"There is a distinction to be made between the Lewis methods and his stated objectives. Mr. Lewis says that the $60,000,000 a year which would be raised by the ten-cent royalty would be used to provide the miners with such things as medical service, hospitalization and health insurance, and for their 'economic protection.' That the miners, not to mention millions of other workers, need better health facilities is hardly debatable. And they will get them, in one way or another. But it does not follow that the public should submit to a private tax by Mr. Lewis to that end.

"His inclusion of the 'economic protection' objective raises immediate doubts. That could mean anything he wanted it to mean, including, in peacetime, political contributions. But this is an issue which goes deeper than doubt as to the validity of one of Mr. Lewis' objectives. It involves a principle of primary importance.

"If a union has the right to levy a private tax for a desirable purpose, it has the right to levy a tax for any purpose not specifically forbidden by law. And, except in wartime, the law puts virtually no restraint on unions in this respect. Furthermore, if it is right to levy a ten-cent tax on the production of a ton of coal, what assurance is there that the tax will not be boosted to a dollar a few years hence? And if it is right for unions to tax the production or sale of coal and phonograph records, there is not the slightest reason why they should not levy similar taxes on the production of automobiles or washing machines or clothing or even a loaf of bread.

"Since these taxes ultimately would be paid to the unions by the consuming public, and since the public would have no effective control over the union officials levying the taxes, it seems obvious that a serious question of public policy is involved. In that sense, this is not a dispute between Mr. Lewis and the coal operators, but rather a dispute to which the consumers of every union-made product are actual or potential parties."

The *New York Times*, March 2, says:

"The demand of John L. Lewis, president of the United Mine Workers of America, for a royalty on every ton of bituminous coal mined in the United States for a welfare fund for his union parallels that made by James C. Petrillo, president of the American Federation of Musicians, whose union is now receiving royalties on recordings made in this country for the benefit of its 'employment fund.'

"Mr. Petrillo decreed in 1942 that all recording and transcribing music companies would thereafter have to agree to flat royalty payments to the union fund as part of the contract by which his union supplied musicians for the making of master recordings. The Decca Company, maker of about one-third of the records sold in 1943, signed the agreement, as did more than sixty small companies.

"The record subsidiaries of the Radio Corporation of America and the Columbia Broadcasting System made a two-year fight against the Petrillo decree, only to lose out in the end. The case went before the War Labor Board in 1943. After a ten-month delay, the two companies protested jointly on June 8, 1944, to WLB, declaring that the union and its president 'are notable examples of labor representatives who openly violate, and pride themselves on violating, the ordinary requirements of collective bargaining and who boast of their consistent practice of laying down the terms of unilateral licenses without regard to the obligations of collective bargaining.'

"'The board's delay in deciding this case,' the companies told the board, 'is putting a premium on Mr. Petrillo's tactics.'

"The WPB ordered Mr. Petrillo to end the ban on June 15, 1944, but told the union and the companies to agree by direct conference on the royalty plan. The latter part of the ruling reversed a panel recommendation that opposed the payments. Mr. Petrillo, on Aug. 17, refused to obey the WLB or to appear before it. Two months later President Roosevelt appealed to the union leader to end the ban, but the latter wired back that the companies must first comply with his terms."

In its issue of March 9, *United States News* makes the following comment on this situation:

". . . From James C. Petrillo's experience in getting a royalty for his musicians from phonograph records, Mr. Lewis gets the idea of demanding a royalty from soft coal operations of 10¢ on every ton. . . . Mr. Petrillo thought up the royalty idea in 1943, and later induced record and transcription companies to pay a royalty on records into the unemployment fund of his AFL musicians union. The War Labor Board did not pass directly on this phase of the contract, but government stabilizers did nothing to prevent the royalty payments. Now Mr. Lewis demands a 10¢ a ton royalty on all soft coal mined. . . ."

PROGRAM MEN TO HOLD WAR ACTIVITIES CONFERENCE

(As released by NAB News Bureau)

Radio's war job brings station and network program men to Washington, March 14, 15, 16. Chairmen of programming activities from all seventeen NAB districts will meet with the executive committee on industry programming and government officials for the three-day session.

The second day of the meeting will be devoted entirely to plans for the Seventh War Loan Drive. Treasury officials will address the group and conduct a clinic on program methods to make the most effective use of the broadcast medium. Officials of the Office of Censorship and the Office of War Information will also participate in the sessions, which will cover all phases of radio's war activities, accentuated by the industry's observance of its twenty-fifth anniversary year throughout 1945, which has been "Pledged to Victory!"

The following broadcasters are expected: Harold Fair, WHO, Des Moines, Iowa, chairman of the executive committee; Irvin G. Abeloff, WRVA, Richmond, Va.; Henry W. Slavick, WMC, Memphis, Tenn.; Eugene Carr, WJR, Detroit, Mich. (temporarily with the Treasury Department, Washington, D. C.); Ray Shannon, WHAS, Louisville, Ky.; Clarence L. Menser, NBC, New York, N. Y.; Douglas Coulter, CBS, New York, N. Y.; Roy Langham, CBS, New York, N. Y.; William J. Adams, WHEC, Rochester, N. Y.; Robert Evans, WSPD, Toledo, Ohio;

George Sutherland, WOL, Washington, D. C.; Wayne H. Latham, WSPR, Springfield, Mass.; Elliott Stewart, WIBX, Utica, N. Y.; J. C. Tully, WJAC, Johnstown, Pa.; Robert L. Fidlar, WIOD, Miami, Fla.; Robert Atherton, WMC, Memphis, Tenn.; Howard Chamberlain, WLW, Cincinnati, Ohio; Carl Vandagrift, WOWO, Ft. Wayne, Ind.; Maurice P. Owens, WROK, Rockford, Ill.; Richard Day, WDGY, Minneapolis, Minn.; Bill Bryan, KOMA, Oklahoma City, Okla.; Ed Lally, WBAP, Ft. Worth, Texas; Ralph W. Hardy, KSL, Salt Lake City, Utah; Robert H. Wesson, KGO, San Francisco, Calif.; W. L. Gleeson, KPRO, Riverside, Calif., and Homer Welch, KEX, Portland, Oregon.

Preparations for the meeting are being handled by Willard D. Egolf, NAB director of public relations.

6 MORE PROGRAMS FOR ARMED FORCES

This week's honors for shipment of "Let's Go to Town" transcriptions to Armed Forces Radio Service go to perimeter states. For the first time since broadcasters have been making GI home town recordings no interior state is represented in the list. Starting with Vermont, on the Canadian border, states making shipment touched the Atlantic, the Gulf and the Pacific. Here is the record of shipments for the current week:

DISTRICT I

Burlington................C. P. Hasbrock, WCAX, *TFC

DISTRICT II

Atlantic City.........Monroe Mendelsohn, WBAB, *TFC

DISTRICT III

Frederick.............William E. Hardy, WFMD, *TFC

DISTRICT V

Jacksonville...........Robert R. Feagin, WPDQ, *TFC

DISTRICT XIII

Houston-Galveston.............Kern Tips, KPRC, *TFC
(1 of 2)

DISTRICT XVI

Los Angeles...............Don McNamara, KFI, *TFC
(3 of 3)

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* Task Force Commander.

Hear "Let's Go To Town" on Iwo Jima

The Marines, busily engaged in going to town with a vengeance on Iwo, are having the old home town carried right up into the front line foxholes.

Punctuated by the roar of actual battle, "Let's Go to Town" programs are picked up on the island from ships standing offshore, according to Col. E. M. Kirby, former NAB director of public relations, now chief of the Radio Section of the War Department's Public Relations Bureau.

RADIO NEWS COMMITTEE RECOMMENDATIONS

"Radio News Recommendations," prepared by the Radio News Committee, and endorsed by the Board of Directors, February 28, are being distributed to the membership with today's "REPORTS."

Part one is concerned with "Handling Sponsored Radio News Programs." Its four subdivisions are "Acceptable Sponsorship of News Programs"; "Commercial Copy and Length of Commercials"; "Identification of Sponsor's Message" and "Placement of Commercials in News Programs."

"Proper Identification of Men and News Sources" is discussed in part two. There are two sections: "Commentators and News Analysts" and "Identification of Radio News Sources."

"Radio News Editor Must Be Sole Judge of Content" is part three and "Expansion of Radio News Service Indicated," part four.

The NAB Radio News Committee consists of: Karl Koerper, KMBC, Kansas City, chairman; William Brooks, National Broadcasting Co.; H. K. Carpenter, WHK, Cleveland; Rex G. Howell, KFXJ, Grand Junction; L. Spencer Mitchell, WDAE, Tampa; E. R. Vadeboncoeur, WSYR, Syracuse, and Paul White, Columbia Broadcasting System.

7TH "E" BOND QUOTA AT NEW HIGH

Quota of "E" bond purchases during the 7th War Loan, May 14-June 30, has been set at 4 bns. with 7 bns. the quota of individual purchases. Total quota for all war bonds is 14 bns. According to present plans there will be one additional campaign in 1945, the 8th.

Though not the largest campaign in history, the 7th will hold top rank so far as "E" bonds are concerned.

"WAR MISSION OF RADIO"

The duty of radio management to bring to listeners things they don't want to hear was included in an address to the Board of Trade, Washington, D. C., March 5, by Col. E. M. Kirby, Chief, Radio Branch, WDOPR. His subject was, "The War Mission of Radio." Col. Kirby was formerly NAB Director of Public Relations.

"Perhaps," said Col. Kirby, "some people don't want to hear that many men are coming home from the wars without arms and limbs and that many are not coming home at all. But, until each of us knows the price we must pay, until each of us feels a sense of personal responsibility to the man at the front and in the hospital and under the white cross, we are going to fall a long way short of winning total peace through total war."

Radio to Troops

What American radio means to American soldiers, at home and abroad, was pointed up by Col. Kirby's assertion: "from a morale point of view, radio is the next best thing to a letter from home."

Radio and Allied Accord

"What American radio means to the development of Allied accord, and, later, to international goodwill and understanding, is almost beyond comprehension," he said. Col. Kirby characterized music as "the common denominator of this generation on both sides of the Atlantic," and gave innumerable examples to illustrate this viewpoint.

Radio to the Home Front

Reason for radio correspondents and radio equipment going along with first assault waves is to implement the War Department's position that the "American people are entitled to the facts of war as covered by a free press and radio."

Besides the daily network broadcasts from the various theatres of operation, domestic broadcast stations are now receiving transcribed localized, hometown interviews and programs made overseas. During the last three weeks, Col. Kirby said, the Army delivered, from France, over 750 such programs to 345 domestic stations. Before the Luzon landing domestic stations received from 40 to 60 hometown recordings per week from the Southwest Pacific.

Credit for this accomplishment was attributed to overseas Army public relations men, "99 per cent of whom worked in somebody's radio station before working for Uncle Sam."

In addition to all this, from 850 to 900 local programs are broadcast weekly from Army posts and hospitals.

Col. Kirby pointed to the Army Hour as an "outstanding example of wartime cooperation between the radio industry and the War Department." This service, a "military operation of the War Department," he explained, costs the tax payers nothing, since the entire cost for lines, facilities, overseas circuits, orchestra and chorus were underwritten by the National Broadcasting Co. as a public service.

"VICTORY THROUGH AIR POWER"—25TH ANNIVERSARY BULLETIN 6

Special 25th Anniversary Bulletin 6 is on its way to you, carrying an address made by Colonel Thomas H. A. Lewis, Commanding Officer of the Armed Forces Radio Service.

This address was delivered before the Advertising Club of Los Angeles commemorating radio's 25th Anniversary.

It isn't necessary to tell you to be sure to read the whole story—just *start* reading. Your eyes won't leave this finest of stories on radio's part in anticipating its *Pledged to Victory Theme* from the very outset of the war.

BROADCASTERS ACTIVE IN RED CROSS DRIVE

John J. Dixon, commercial manager, WROK, Rockford, is general chairman of the Red Cross war fund drive in Winnebago County. William R. Traum, WROK promotion director, is chairman of the campaign's advertising and publicity committee.

Karl Koerper, vice president, KMBC, is general chairman of the Red Cross war fund campaign in Kansas City and Jackson County.

THEY COULD USE SOME OF YOUR HELP

Here's a chance to help the kids who deliver your newspapers . . . youngsters who are also regular listeners of your programs. According to Treasury these boys are out to sell 48,150,000 ten cent war stamps between now and May 12. The $4,815,000 which the sale will produce is to buy 1,000 water weasels, "swamp going jeeps," specially designed for jungle warfare against the Japs.

After checking to make sure the campaign is operative in your area, why not schedule some announcements in behalf of the newsboy listeners? Why not spot some of the boys, for a minute, here and there, on some of your shows?

This direct sales activity on the part of these young business men will also serve to "prime" buyers for the forthcoming Seventh War Loan.

ANGEL OF BATAAN ON WHIO

Dayton, Ohio, March 1.—Almost as soon as Lt. Helen Gardner, one of the "Angels of Bataan," arrived in Dayton, WHIO had her on the air. This nurse, who had been interned in the Santo Tomas camp at Manila, was interviewed Wednesday, February 28, at 5:30 p. m.

FIRE MOVES WOPI INTO TEMPORARY QUARTERS

Bristol, Tenn.—Station WOPI, Bristol, Tenn., is occupying temporary offices in the Union Trust Building at 410 State Street, Bristol.

WOPI's equipment was almost entirely destroyed in a recent fire which ravished the building in which the station was formerly located.

"ALL'S WELL THAT ENDS WELL"

Mahlon Aldridge, KXOK news editor, recently worked until small hours of the morning greeting Bataan nurses at Lambert Airport, recording interviews, then rebroadcasting them twice. He next rushed to make a train for Jefferson City, where his wife presented him with a new heir, a bouncing boy.

INMAN DISTRIBUTES MONTAGE OF CLIPS

Don E. Inman, vice president, WNAX, Yankton, has given wide distribution to a 13½ x 20 montage of newspaper clippings which followed the trip to Washington, D. C., of the "typical Midwest farm family," late January.

"Even a Hollywood glamour star would raise an envious eyebrow at the avalanche of articles that appeared in newspapers throughout the nation," says Don.

While in Washington, the Ettesvold family were guests at a dinner at the Statler, tendered by the Cowles stations.

MIDLAND SCHOOLS SOLD BY KMBC

Stock in Midland Radio & Television Schools, Inc., all of which was owned by KMBC, has been acquired by G. L. Taylor, president and active head of the schools. Under the new ownership the school name will be changed to Central Radio & Television Schools, Inc., the Midland name being retained by the Midland Broadcasting Company, owners and operators of KMBC.

Coincident with the school changes, the appointment of Robin D. Compton was announced as technical director of Midland Broadcasting Company.

Much of Mr. Compton's time will be occupied with FM, television, facsimile, and other developmental and technical research projects.

PROGRAM MATERIAL

Returning veterans are big news to the home town folks these days.

NAB is anxious to hear from you about programs built around this subject.

Just a few lines on this and other programs that you feel are a little unusual, or have an unusual angle.

VICTOR H. HANSON, WSGN OWNER, DIES

Birmingham, Ala., Mar. 7.—Victor H. Hanson, 69, owner of WSGN, Birmingham, and chairman of the board of the Birmingham *News* and *Age-Herald*, died today after a brief illness at his home here.

Mr. Hanson suffered a heart attack two weeks ago at Miami Beach, Fla., and had been confined to his home since his return last Friday.

GEORGE HENRY PAYNE DIES

George Henry Payne, FCC Commissioner from 1934 to 1943, died March 3 of a heart ailment at the home of his daughter, Mrs. Virginia Payne Ahrens, in Hollis, L. I. His age was 68. After leaving the FCC, he became vice president and director of the Finch Telecommunications Company of New York.

PLATTERS TO YANK PRISONERS

American prisoners of war in Germany are to receive recordings of American radio programs, War Prisoners Aid of the Young Men's Christian Association has announced. Through special arrangements made with sponsors as well as with the American Federation of Musicians and the American Federation of Radio Artists, the programs are to be recorded on twelve inch discs, with all commercials deleted. They will be shipped to German prison camps where Americans are interned, through War Prisoners Aid of the Y.M.C.A. whose function is to furnish educational, recreational and religious materials to prisoners of war.

SPECIAL A. F. OF L. BULLETIN

This bulletin, containing a letter from the Hon. Clarence F. Lea, Chairman of the House Committee on Interstate and Foreign Commerce, went out to you on March 5.

NAB urges that you give this bulletin careful consideration.

SET DATES FOR EDUCATION WEEK

The 1945 American Education Week will be held November 11-17, inclusive, according to announcements from the four sponsoring organizations, National Education Association, American Legion, U. S. Office of Education and National Congress of Parents and Teachers.

The list of daily topics as supplied by Lyle W. Ashby, National Education Association, will be: Emphasizing Spiritual Values, November 11; Finishing the War, 12; Securing the Peace, 13; Improving Economic Well-being, 14; Strengthening Home Life, 15; Developing Good Citizens, 16; Building Sound Health, 17.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 12. They are subject to change.

Monday, March 12

WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich.—Renewal of license; **1230 kc.**, 100 watts night, 250 watts day, unlimited.

Thursday, March 15

Consolidated Hearing

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); **1000 kc.**, 5 KW (main), 1 KW (auxiliary), unlimited.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); **950 kc.**, 5 KW (main), DA-night, 1 KW (auxiliary), unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

KENO—Nevada Broadcasting Co. (assignor), Maxwell Kelch and Laura Bell Kelch, d/b as Nevada Broadcasting Co. (assignee), Las Vegas, Nevada.—Granted consent to voluntary assignment of license of station KENO from Nevada Broadcasting Company to Maxwell Kelch and Laura Bell Kelch, d/b as Nevada Broadcasting Co.; no monetary consideration involved; reason for assignment is to change the form of licensee from a corporation to a partnership. (B5-AL-472)

WMFF—Edward H. Bragg and Leslie F. Bragg (transferor), George F. Bissell (transferee), Plattsburg Broadcasting Corp. (licensee), Plattsburg, N. Y.—Granted consent to transfer of control of Plattsburg Broadcasting Corp., licensee of station WMFF from Edward H. Bragg and Leslie F. Bragg, to George F. Bissell through purchase of 169 shares, or 51.9 percent, of outstanding capital stock for a consideration of $24,000. (B1-TC-422)

WJJD—Marshall Field (transferor), Field Enterprises, Inc. (transferee), WJJD, Inc. (licensee), Chicago, Ill.—Granted consent to transfer of control of WJJD, Inc., licensee of WJJD, from Marshall Field to Field Enterprises, Inc., by issuance to transferor of 6,926 shares (par value $692,600) of transferee's 6 percent non-cumulative voting preferred stock; for 15,000 shares, 100 percent of the outstanding no par common stock of the licensee. (B4-TC-426)

WSAI—Marshall Field (assignor), Buckeye Broadcasting Co. (assignee), Cincinnati, Ohio.—Granted consent to voluntary assignment of license of station WSAI from Marshall Field to Buckeye Broadcasting Co., by issuance to assignor of 5,834 shares of 6 percent non-cumulative preferred stock (par value $583,400) of Field Enterprises, Inc., for the issuance to it of all the authorized capital stock (1,000 shares of common stock) of the assignee, Buckeye Broadcasting Co. (B2-AL-463)

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Granted modification of construction permit (B1-P-2924 as modified) for changes in directional antenna system and extension of completion date to 60 days after grant hereof. (B1-MP-1801)

W1XMR—Matheson Radio Co., Inc., Boston, Mass.—Granted modification of construction permit for approval of transmitter site. This grant is upon an experimental basis only and upon the express condition that it is subject to change or cancellation by the Commission at any time without advance notice or hearing, if in the discretion of the Commission the need for such action arises. Nothing contained herein shall be construed as a finding by the Comm. that the operation of this station upon the frequencies authorized is or will be in the public interest beyond the express terms hereof.

LICENSE RENEWALS

WAGE—WAGE, Inc., Syracuse, N. Y.—Granted license to cover construction permit which authorized installation of an auxiliary transmitter to operate with 250 watts power, employing DA at night. (B1-L-1862)

WCHV—Barham & Barham, Charlottesville, Va.—Granted license to cover construction permit which authorized change in frequency to **1240 kc.** Also granted authority to determine operating power by direct measurement of antenna power.

WBKY—University of Kentucky, Lexington, Ky.—Granted license to cover construction permit for new noncommercial educational broadcast station; **42900 kc.**, 500 watts.

DESIGNATED FOR HEARING

The Brockway Company, Massena, N. Y.—Designated for hearing application for construction permit for a new standard broadcast station to operate on **1340 kc.**, 250 watts, unlimited time; hearing to be upon issues relating to Supplemental Statement of Policy and interference to existing station. (Commissioner Durr voting for a grant.) (B1-P-3734)

Birney Imes, Jr., Corinth, Miss.—Designated for hearing application for construction permit for new standard broadcast station to operate on **1230 kc.**, 250 watts, unlimited time, transmitter site to be determined; hearing to be upon Supplemental Statement of Policy and other stated issues. (B3-P-3850)

MISCELLANEOUS

Adelaide Lillian Carrell, Wichita, Kansas—Adopted Order granting petition insofar as it requested dismissal without prejudice of application for construction permit for new standard broadcast station. (Docket No. 6742, B4-P-3852)

Harvey Radio Laboratories, Inc., Cambridge, Mass.—Granted construction permit for new developmental broadcast station; frequencies to be assigned by Commission's Chief Engineer from time to time; 250 watts, A0, A4 and special emission for frequency modulation; unlimited time. (B1-PEX-60)

Robert W. Rounsaville, Cleveland, Tenn.—Adopted Memorandum Opinion ordering issuance of construction permit to Robert W. Rounsaville pursuant to Commission's action of January

16, 1945, grant application for a new station to operate on **1340 kc.**, 250 watts, unlimited time.

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Granted motion for continuance of hearing on application for renewal of license now scheduled for March 5, to April 9.

The Press Co., Inc.—Granted request to participate in Oral Argument on application for renewal of license of WOKO, Albany, N. Y., now scheduled for March 28.

Ernest E. Forbes, Jr., tr/as Magic City, B/c Co., Birmingham, Ala.; Ramon G. Patterson and Louise Patterson (Pursley), d/b as Patterson B/c Service, Birmingham, Ala.; Thomas N. Beach, Birmingham, Ala.—Granted joint motion for extension of time, a period of 30 days from March 5, for filing Proposed Findings in re applications for a new station in Birmingham.

Bernard Fein, New York City—Placed in the pending file in accordance with Commission's policy of February 23, 1943, application for FM broadcast station.

Sacramento Valley Broadcasters (a partnership), Marysville, Calif.—Placed in the pending file in accordance with Commission's policy of February 23, 1943, application for FM broadcast station.

KOMO-KJR—Fisher's Blend Station, Inc., Seattle, Wash.—On the Commission's own motion, ordered that the hearing on the applications for renewal of licenses of (main and auxiliary) stations KOMO and KJR be continued from March 15 to April 16, 1945. (Dockets 6614 and 6644)

WOKO—WOKO, Inc., Albany, N. Y.—Granted request on behalf of WOKO, Inc., for advancement of oral argument in the matter of the application for renewal of license of station WOKO, now scheduled for March 28, and advanced the oral argument to March 14, 1945. (Docket 6486)

APPLICATIONS FILED AT FCC

590 Kilocycles

KTBC—State Capital Broadcasting Assn., Inc., Austin, Texas—Voluntary assignment of license to Claudia T. Johnson.

970 Kilocycles

KOIN—KOIN, Incorporated, Portland, Ore.—License to cover construction permit (B5-P-3845) which authorized changes in transmitting equipment.

1060 Kilocycles

KYW—Westinghouse Radio Stations, Inc., Philadelphia, Pa.—Construction permit to install new directional antenna system.

1230 Kilocycles

WJNO—WJNO, Incorporated, West Palm Beach, Fla.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

KVSO—John F. Easley, Ardmore, Okla.—Modification of license to increase night power from 100 watts to 250 watts.

WOCB—E. Anthony & Sons, Inc., near Hyannis, Mass.—Voluntary assignment of license to Bristol Broadcasting Company, Inc.

1340 Kilocycles

WNBH—E. Anthony & Sons, Inc., New Bedford, Mass.—Voluntary assignment of license to Bristol Broadcasting Company, Inc.

1400 Kilocycles

WRDO—WRDO, Incorporated, Augusta, Maine—Authority to determine operating power by direct measurement of antenna power.

WATW—Upper Michigan-Wisconsin Broadcasting Co., Inc., Ashland, Wis.—License to cover construction permit (B3-P-3676) which authorized increase in power and change in type of transmitter.

1460 Kilocycles

KINY—Edwin A. Kraft, Juneau, Alaska.—Modification of construction permit (B-P-3622, which authorized increase in power, installation of new transmitter, and changes in antenna) for extension of completion date from 3-11-45 to 6-11-45.

1490 Kilocycles

NEW—Fred O. Grimwood, Bloomington, Ind.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 100 watts, and unlimited hours of operation.

FM APPLICATION

NEW—Rock Island Broadcasting Co., Rock Island, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on **44500 kc.** with coverage of 3,000 square miles. AMENDED to change type of transmitter, change antenna system and change coverage from 3,000 square miles to 21,250 square miles.

TELEVISION APPLICATIONS

W8XGZ—Gus Zaharis, S. Charleston, W. Va.—Modification of construction permit (B2-PVG-103, which authorized a new experimental television broadcast station) for extension of completion date from 4-1-45 to 10-1-45.

W2XMT—Metropolitan Television, Inc., New York, N. Y.—Modification of construction permit (B1-PVB-40, as modified, which authorized a new experimental television broadcast station) for extension of completion date from 3-31-45 to 6-30-45.

MISCELLANEOUS APPLICATIONS

W8XFM—The Crosley Corp., Cincinnati, Ohio—Modification of license to change class of service from temporary class 2 experimental high frequency broadcast to developmental broadcast.

KETJ—National Broadcasting Co., Inc., San Francisco, Calif.—License to cover construction permit (B5-PRY-298) which authorized a new relay broadcast station.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Anti-Co-Rode Laboratories, 5858 Delmar Blvd., St. Louis, is charged in a complaint with misrepresenting the properties of a product designated "Anti-Co-Rode," which he advertises and sells as an effective treatment or conditioner for automotive storage batteries. (5286)

Hawthorne Candy Co., 1664 West Division St., Chicago, is charged in a complaint with the use of lottery methods in the sale of candy and other merchandise to the consuming public. (5287)

Frank L. Singer Fur Co.—A complaint has been issued charging Frank L. Singer, trading as Frank L. Singer Fur Co., Peekskill, N. Y., with misrepresentation in connection with his business of purchasing and selling raw furs. (5288)

CEASE AND DESIST ORDERS

No cease or desist orders were issued by the Commission last week.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Marshall Drug Company, Inc., 213 West 34th Street, New York, has stipulated that it will discontinue misrepresenting the properties and results to be obtained from the use of a vitamin preparation designated "Dr. Brown's Calcium Pantothenate," advertised as being capable of restoring the natural color to hair and preventing gray hair. (03254)

H. H. Robertson Co.—Under an amendment to a stipulation entered into H. H. Robertson Company, Farmers Bank Building, Pittsburgh, engaged in the manufacture and sale of a monolithic floor surfacing designated "Robertson Hubbellite", agrees to cease and desist from representing that the organism causing athlete's foot cannot survive contact with such material; or otherwise representing that the material will kill such organism or under usual conditions will prevent the spread of skin infections or athlete's foot. (3734)

FTC COMPLAINT DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Roebling Luggage Corporation, 121 Liberty Street, New York, with certain misrepresentations in connection with the sale of luggage, leather goods and novelties.

The complaint was dismissed because the respondent company has expressed its intention, in writing, to be bound by the Trade Practice Conference Rules promulgated by the Commission for the Catalog Jewelry and Giftware Industry and has furnished satisfactory evidence of such intention.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 11, March 16, 1945

2ND DISTRICT MEETING

Broadcasters of the 2nd District, New York and New Jersey, met at the Roosevelt Hotel, New York, on Thursday and Friday (8-9). Kolin Hager, WGY, District Director, presided. A representative group of broadcasters was present but the attendance was curtailed materially by the Government request to limit travel. J. H. Ryan, NAB President, outlined industry activities and objectives, and John Morgan Davis, NAB General Counsel and Labor Relations Director, discussed the plans which are now in process of development for the enlargement of the labor relations activities of NAB.

The afternoon session of the first day, Hugh Feltis, Broadcast Measurement Bureau President, presented the plan of that Bureau. A full report of the results of this meeting was given in Broadcast Measurement Bureau Bulletin No. 10. John A. Bacon, Commercial Manager of WGR, and Sales Managers Chairman for the 2nd District, presided over the sales managers' session which was held on the morning of the second day. Lewis H. Avery, NAB Director of Broadcast Advertising, and Helen Cornelius, Director of Retail Radio Advertising, detailed the work which they are carrying on in their respective fields.

Robert T. Mason, WMRN, Chairman of the NAB Small Market Stations Committee, presided over a session devoted to a discussion of small market stations problems. Earle Godfrey of WBAB, 2nd District Chairman of the Engineering Committee, and Howard Frazier, NAB Engineering Director, discussed technical problems and engineering developments.

Dorothy Lewis, NAB Coordinator of Listener Activities, combined with Michael R. Hanna of WHCU, NAB 2nd District Public Relations Chairman, in conducting a public relations discussion.

4TH DISTRICT MEETING (VIRGINIA, WEST VIRGINIA AND DISTRICT OF COLUMBIA SECTION)

Broadcasters of Virginia, West Virginia and the District of Columbia section of the 4th NAB District, met in Washington on Monday and Tuesday (12-13). A split meeting in this district was necessitated in order to comply with the Government request to hold outside attendance to less than 50. District Director Campbell Arnoux, WTAR, presided over the two-day session.

J. H. Ryan, NAB President, reported upon the progress and the objectives of the industry. Mr. Arnoux, as Chairman of the NAB Music Committee, reported upon the progress which had been made in bringing about a solution of some of the problems arising under ASCAP per program contracts. Roy Harlow of BMI outlined the work which BMI is carrying on and the contribution which it is making to the solution of the broadcasters' problem. He urged a more intelligent supervision of music by station managers and warned broadcasters that the selection of music was not a matter that could be left in the hands of any but a very well trained and understanding employee.

WPB TO CERTIFY DEFERMENT REQUESTS

The War Production Board (WPB) has been designated as the certifying agency for the entire communications industry, including domestic and international radio broadcasting.

Now in course of preparation is NAB Selective Service Supplement No. 28. This Supplement will contain detailed information with reference to procedures, a complete list of all WPB District Managers, and other information essential to broadcasters in seeking deferments of necessary men.

Every broadcaster should read every word of this Supplement if he desires to avail himself of his rights under selective service procedure. This new Supplement (No. 28) deals with WPB regulations and should be used in conjunction with Selective Service Supplement No. 27 (issued March 2), which deals with the corresponding Selective Service regulations. The two Supplements bring up to date all information with respect to the methods to be used by broadcasters in seeking occupational deferments.

Hugh Feltis, President of the Broadcast Measurement Bureau, presented that plan to the afternoon session and 87% of the stations present signed contracts pledging their support. John Morgan Davis, NAB General Counsel and Labor Relations Director, spoke on labor problems. He urged cooperation on the part of the stations in supplying NAB with information about contracts which they have with labor unions and also in supplying data in response to the wage and hour questionnaire.

Small market stations problems, radio broadcast advertising matters and retail radio sales relationships were presented by Lewis H. Avery, NAB Director of Broadcast Advertising, and Helen Cornelius, his assistant in charge of retail radio advertising. Irvin Abeloff, WRVA, Chairman of the 4th District Program Directors Committee and a member of the Executive Committee, discussed programming in the public interest.

James H. Moore, WSLS, District Chairman of the Public Relations Committee, Willard D. Egolf, NAB Director of Public Relations, and Dorothy Lewis, NAB Coordinator of Listener Activities, conducted a discussion on public relations at the afternoon session of the second day. Particular stress was placed upon the use by the stations of the book, "Management in the Public Interest," now being compiled and in the printers' hands and available for station distribution. A preview of this book was made

(Continued on page 102)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

4TH DISTRICT MEETING (VIRGINIA, WEST VIRGINIA AND DISTRICT OF COLUMBIA SECTION)

(Continued from page 101)

in the form of exhibits which surrounded the room. Many expressions of commendation were heard.

Howard Frazier, NAB Engineering Director, and T. A. M. Craven, a member of the NAB Board and Chairman of the Board Liaison Committee to the Engineering Committee, discussed engineering problems with particular reference to the recent allocation hearings.

The North Carolina and South Carolina section of the NAB 4th District will meet in Charlotte on Thursday and Friday (15-16).

DENNY NOMINATED TO FCC

President Roosevelt on Wednesday (14) nominated Charles R. Denny, Jr., as a member of the Federal Communications Commission to succeed T. A. M. Craven who resigned June 30, 1944.

Mr. Denny was at one time Assistant General Counsel and is now Counsel of the Commission. He was born in Baltimore, April 11, 1912, the son of Charles R. and Beulah Denny.

Graduated from Amherst College in 1933 with an LL.B., he also attended Harvard. In 1937 he married Betty Marie Woolsey and has two children, Alison Byrd and Christine. He was admitted to the District of Columbia bar in 1936 and practiced with the firm of Covington, Burling, Rublee, Acheson and Shorb, from 1936 to 1938. From 1938 through 1941 he was an attorney at the Department of Justice and in 1941 and 1942 he was special assistant to the Attorney General.

PORTER ADDRESSES BROADCASTERS

In connection with the meeting of the Virginia, West Virginia and District of Columbia section of the 4th NAB District, a dinner honoring Paul A. Porter who recently assumed the post of Chairman of the Federal Communications Commission, was held at the Hotel Statler.

Campbell Arnoux, NAB 4th District Director, presided and introduced NAB President J. H. Ryan, who in turn presented Mr. Porter as the speaker of the evening. Others seated at the head table were Speaker Sam Rayburn of the House of Representatives, Senators Clyde M. Reed of Kansas, and James M. Tunnell of Delaware, both members of the Senate Interstate Commerce Committee; Chairman Clarence F. Lea of the Interstate and Foreign Commerce Committee of the House; FCC Commissioners Norman S. Case, C. J. Durr, Paul A. Walker and E. K. Jett and Eliot C. Lovett, President of the Federal Communications Bar Association.

The entire membership of the Senate Interstate Commerce Committee and the House Committee on Interstate and Foreign Commerce was invited and a considerable number were present. In addition the administrative staff of the FCC was in attendance. All told there were some 180 people at the dinner. Chairman Porter's remarks follow in full:

"I first want to assure both broadcasters and their guests that I am completely aware of the obvious fact that sudden appointment to important public office does not of itself contribute to the wisdom of the appointee. To the contrary some of you no doubt believe—and I have had some expression of that point of view—that the acceptance of this particular job at this particular time, far from constituting any evidence of infallibility or competent judgment, is proof positive of the exact opposite. Three months' tenure would incline me to support that view and, I am assured day by day, that the worst is yet to come.

"These preliminary observations are made solely for the purpose of seeking to avoid creating the impression that I think I know the answers. I haven't yet caught up with the questions. One thing I wish to emphasize: in spite of some pretty general doubts as to the sanity of anyone assuming these duties, I have attempted to bring to the job a sense of public responsibility, a deep feeling as to the importance and scope of the problems ahead and some understanding of the life and habits of broadcasters.

"I am appreciative of the many expressions of confidence and good will that I have received from broadcasters. I hope to deserve your continuing confidence and further, I hope relationships between the Commission and the industry always will be based upon the solid ground of mutual understanding that will permit the Commission to discharge its functions competently and honestly and the industry to perform its important public responsibilities, in an atmosphere free from suspicion or mistrust either on the part of the regulatory agency or on the part of those affected by its rules and policies.

"I do not want to give the impression that I am predicting an era of tranquillity or the dawn of a new age of sweetness and light. There just aren't enough frequencies to go around for that—or maybe in the not too distant future there will be too many frequencies. What I am trying to say is that the Commission and its members should feel free as public officials to express frankly and openly their views and opinions upon problems of mutual concern without being subject to the charge of attempting to preach, reform or to abolish the American system of broadcasting. There are a number of problems, of which we are all conscious, that can only be met rationally by free and open discussion and for my part I propose to do just that when I conceive it to be my responsibility to express an opinion or to advocate some policy, although it is my aim to do as little talking as possible. Tonight seems an appropriate occasion to talk candidly about a few of the problems we face together.

"Again, in all humility, I emphasize that my views insofar as they may have matured upon the questions I propose to discuss are worth listening to only because I happen to occupy this position at a time when the communication industry is on the threshold of such vast and significant developments.

"I have tried and will continue to strive, insofar as my own responsibilities are concerned, to maintain an open mind, to decide questions or policies, insofar as I can influence them, only after accumulating all the facts I can absorb and to act on specific matters only in concert with my colleagues on the Commission whose public responsibilities are identical to mine.

"I have never thought there was any back-door to this Commission. But if there ever was I want to assert that as far as I am concerned that door is locked and the key thrown away. The front door is wide open to all who have business before the agency and your views and advice are solicited and welcomed in assisting us in the discharge of our duties.

"I consented tonight to talk about 'Broadcasting of Tomorrow.' The topic is not a limited one even if I felt competent to discuss it. It involves prophecy of the sort that I would not like to undertake. It's dangerous business as well. There is the stern voice of experience to prove just how far wrong can be those who essay to stake out the future. For example, not too many years ago, as time is measured, one oracle spoke thus about the future of broadcasting:

> 'It is inconceivable that we should allow so great a possibility for service, for news, for entertainment, for education and for vital commercial purposes to be drowned in advertising chatter. . . .'

"These were not the words of an irresponsible crackpot or reckless reformer. This was an utterance of Herbert Hoover at the first radio conference in 1922. Two years later at the conference in 1924, the distinguished Secretary of Commerce and future President had another try at predicting the future of this dynamic industry when he said:

> 'I believe that the quickest way to kill broadcasting would be to use it for direct advertising.'

"Please don't misunderstand me. The only point I am trying to make is that prophecy is really a dangerous undertaking. But Mr. Hoover, as is well known, is a very persistent individual. Again in 1925 he made a final fling at this pastime of prophecy when he said:

> '. . . Advertising in the intrusive sense will dull the interest of the listener and will thus defeat the industry. Furthermore it can bring disaster to the very purpose of advertising if it creates resentment to the advertiser.'

And this particular prophecy was made, you understand, before the days of the singing commercial.

"Now I hope I do not subject myself to the charge that I have made an attack on advertising, free enterprise or private initiative, because I have quoted Herbert Hoover. His early forecasts on the future pattern of broadcasting as he saw it 20 years ago have not come to pass.

"Today, however, many influential broadcasters have expressed to me deep concern over what they themselves describe as an alarming trend toward 'excessive commercialism.' They see, as do many of us who have studied the great progress of this industry, developments which unless checked may lead to real difficulty in the future. I have been told, as I am sure many of you have, that somehow there must be a determination as to whether broadcasting is simply going to operate as an advertising and entertainment media or whether it will continue to perform in increasing measure public service functions in addition. I want broadcasters themselves to provide the answer to that question. The cloud on the horizon is bigger than a man's hand and I know that responsible broadcasters see it and are concerned about it.

"Naturally you are asking yourselves the question as to what extent the Commission may propose to inject itself into this particular field. I wish I could tell you the answer to that one but I can't because I don't know. I am familiar with all the arguments about the government keeping its rude, bureaucratic hands off of anything that smacks of program control and I am in agreement with most of those arguments. I am likewise conscious of the limitations imposed by Congress in the statute with respect to matters involving censorship and am fully aware of the dangers of any government agency, legislative or administrative, toying with standards of program content.

"But under present circumstances one of the issues involved has taken a different form and it has been laid right on the Commission's door-step. Briefly the facts are these: an applicant seeks a construction permit for a new station and in his application makes the usual representations as to the type of service he proposes. These reresentations include secific pledges that time will be made available for civic, educational, agricultural and other public service programs. The station is constructed and begins operations. Subsequently the licensee asks for a three year renewal and the record clearly shows that he has not fulfilled the promises made to the Commission when he received the original grant. The Commission in the past has, for a variety of reasons, including limitations of staff, automatically renewed these licenses even in cases where there is a vast disparity between promises and performance.

"We have under consideration at the present time, however, a procedure whereby promises will be compared with performances. I think the industry is entitled to know of our concern in this matter and should be informed that there is pending before the Commission staff proposals which are designed to strengthen renewal procedures and give the Commission a more definite picture of the station's overall operation when licenses come up for renewal.

"I have no present views as to what further steps should be taken when it appears from the record in a specific case that an applicant has completely disregarded the representations upon which he obtained his original grant. Obviously no one would advocate that the representations made in the original application constitute a rigid blueprint for the future. Experience will dictate new and superior methods of performing public service. But in cases where commercial opportunities cause a complete abandonment of other services which he has agreed to perform a different question is raised. I am not charging that broadcasting generally has tossed public service out of the window. We all know that is not true. What I am saying is that there seems to be a growing body of responsible opinion that believes that the public functions of broadcasting are becoming submerged by commercialism.

"Under these conditions, I submit to you that in a case such as I have described, the Commission is confronted with a real problem. Are we of the Commission to assume that the statutory standard of public interest becomes a mere negative presumption and that so long as the licensee violates none of the specific prohibitions against obscenity, lotteries and the like, the regulatory authority is not to inquire further into the licensee's general performance? I do not believe Congress so intended—or at least some individual members of the present Congress are looking to the Commission for same clarification of policy in this respect.

"We all recognize the important part played by broadcasting in the war program. None should seek to detract from vast contributions which have been made by the networks and a great majority of the individual stations. Perhaps I have become sensitive to what seems to be an increasingly critical atmosphere because I have only recently become exposed to it. Believing as I do in the great potentials of this industry, it is my personal view that broadcasting can never be content to become merely adequate. It can and much continue to seek new and more engaging methods to win and maintain public approval. And in evaluating public approval, it seems to me, the tastes and interests of minorities must be taken into account. Above all, it seems to me that it does no good to merely resent criticism. The nature of broadcasting is such that most listeners feel a proprietary interest in its operations and, I recognize too, that it is often true that the sins of a few are charged against the industry as a whole. But the obvious course is to seek to remove the cause of justifiable criticism.

"It is my personal position, as I have indicated, that it is far better for broadcasters themselves to take whatever actions may be neecssary to eliminate the causes of general public dissatisfaction. I would view with great reluctance attempts to legislate more detailed standards in the field of the public service obligations of broadcasting. I have grave doubts not only as to the propriety but as to the practicability of spelling out by mathematical formula or some other device the general methods which broadcasters should follow in discharging their public service functions.

"The question of freedom of broadcasting is involved and those of us who feel deeply about this subject want broadcasting to remain free because it deserves to and not simply because it may under our system be entitled to claim some kind of immunity from enforced standards of conduct.

"What I have said lacks specificity. And I have been general on purpose. But I think responsible broadcasters are aware of the nature of the problems to which I have alluded. I have attempted to call attention to considerations which I know are of concern to you, to increasing segments of public opinion, to the Congress and the Commission. I have no suggestions as to any general remedy for the problem. I think the answer rests primarily with the broadcasting industry and it is my hope that there will be honest public discussion on the basic questions of policies and procedures and that action will follow which will make it apparent to all that broadcasting can and will perform those functions which Congress intended it to perform and which its licenses require of it.

"I do not believe that there is a broadcaster in the sound of my voice who does not agree with me that if public clamor against certain practices continues, there is a very real danger that the solutions which might be proposed would be more severe than the realities of the situation require. Broadcasting of the past has been a great and growing force in America; broadcasting of today is making notable contributions to public welfare; broadcasting of tomorrow—my formal subject this evening—will be what you as individual broadcasters make it.

"There are a few other problems which I would like to mention that lie down the road not too distant. The Commission will soon be required to consider definite licensing policies with respect to television, FM and other new services. Certain contours of these policies have already been developed, with particular emphasis on avoidance of monopoly or centralization of control or whatever term you may wish to apply. With these principles I am in complete accord and I think you are, too.

"There is one basic conception I would like to emphasize. Broadcasting has come of age. I think you gentlemen as leaders of the industry know that it can stand on its own feet now and need not rely upon heavy aggregations of outside capital for future development. Those of you now in this field, plus independent newcomers who propose to bring to broadcasting their skills and talents rather than merely their accumulated funds, can I think carry broadcasting to the new heights which the engineers and technicians have mapped out.

"To be more specific, sound public policy would, in my judgment, oppose large sums of Wall Street money or any other funds coming into broadcasting as a purely speculative venture. A new empire of the ether—the spectrum space for FM and Television—is about to open up. The way applicants are lining up at the barrier waiting to go is somewhat reminiscent of the Oklahoma Territory at noon April 12, 1889. I do not know when the signal gun will be fired. It will be soon, I hope. But for the proper development of this valuable new empire, I think we want to exclude the speculators, the high pressure promoters and others who are looking merely for a quick turnover. A sound licensing policy will welcome the true homesteader and should offer grants only to those who want to take up permanent residence in this new empire, cultivate it and improve it and generally operate it in the public interest. And as far as I am concerned, I am looking to broadcasters—the proven pioneers—as the ones who will take the lead in the great developments that lie ahead. And I conceive it to be the duty of the Commission to provide every encouragement to that end.

"The reasons of public policy against purely speculative raids on broadcasting from any source are clear. Congress when it wrote the Communications Act of 1934, was concerned with diversification of control over a great new instrument for moulding the thoughts and habits of the nation. Congress didn't want control in the hands of any federal agency, and it didn't want control concentrated in the hands of any private monopoly. So it wrote anti-monopoly provisions throughout the Act and those provisions are still in force and effect. You are familiar with the present requirements as to multiple ownership of FM and Television stations, and are aware of the past efforts of the Commission to create competitive conditions in a field limited by physical facts of allocation. This protection against monopoly, it seems to me, while primarily for the benefit of the public, also protects the independent broadcast station operators who compose the chief membership of this association and who have contributed so much to the development of standard broadcasting as we know it today. There is a corresponding responsibility, accordingly, on the present broadcasters, to move forward with the advance of the art and to bring to the public the fullest possible service on the new bands which will soon be opened up for FM, television, facsimile, and the other new services.

"I don't mean to suggest, of course, that existing broadcasters are to be protected against all newcomers in FM, television, or other new fields, and I don't think broadcasters want any such protection. The proposal of the FM Broadcasters that the FM band be widened to 80 or 100 channels and that educational broadcasting be provided for is a clear indication that the basic philosophy of the free competitive field in broadcasting is not only the policy of Congress and of the Commission, but of forward-looking broadcasters as well.

"The basic principles of diversification of control and individual-licensee responsibility are now so well understood and widely accepted that we have the opportunity to build FM and television soundly from the beginning if we have the wisdom to profit by experience.

"In the early days of standard broadcasting, these principles were not as well understood; and so various concentrations of control arose which, as you know, have been eliminated only with some difficulty. Unscrambling that situation has been—and is—no easy matter, as the industry, the Commission, the Congress and the Supreme Court know.

"Fortunately, both for the Commission and for the industry, we have today a Congress which is perhaps better informed with respect to broadcasting than its predecessors were. A long succession of hearings, first on the White Resolution and then on the Sanders Bill and then on the Wheeler-White Bill and then the Select Committee to investigate the FCC, interspersed with annual hearings before the House and Senate Appropriations Committees and the perennial Petrillo hearings—these sessions have certainly made the Congress expert in the problems which we face together. It is accordingly not too much to hope that, during the critical period of planning which lies ahead, the industry, the Commission and the Congress can each in its own sphere work towards a sound broadcasting structure for the future.

"I mentioned how much harder it is to undo the mistakes of the past than to build right from the beginning. An example is the hearings which the Commission has announced on the clear channels for May of this year. The need for this hearing can be clearly stated. According to the best data currently available to the Commission, approximately 38.5 percent of the area of the continental United States lies outside the daytime service area of any standard broadcast station; in this area live more than 10,000,000 people who are thus without daytime radio service. At night nearly 57 percent of the area of the country lies outside the *primary* service area of any standard broadcast station; and hence the 21,000,000 people residing in these regions must rely on a relatively inferior secondary service. This is an intolerable situation for a country with our great resources and technical capacity. The condition is particularly aggravated when you consider that the millions who have no service or only inferior service are precisely those isolated rural families which of necessity must rely the most on radio for their contact with the outside world. I want to emphasize that the decision to reopen the clear-channel issues, with special attention to the Congressional mandate to insure a *nation-wide* radio service was a unanimous decision. I know of no one in the Commission who does not recognize the need for a reappraisal of this problem.

"If we were starting from the beginning in standard broadcasting, as we are in television, for example, the Commission's engineers and the industry engineers could sit down and draw a master plan of allocation which would theoretically meet the service requirements of the entire country, both rural and urban. But of course we all recognize the difference between starting *de novo* and doing the best we can within the limits set by the existing situation. Just because an engineer's chart might show that wider coverage could be obtained by moving a clear channel station located on the coast to an inland site, does not mean that all things considered public interest would require such a shift. But I hope we will have the opportunity to look at many possibilities and I want to assure you that the Commission is determined to consider all relevant factors—social, economic, day and night coverage, rural and urban coverage, considerations of an equitable distribution of facilities and the like—before it reaches even tentative conclusions.

"What I am asking is full and complete cooperation of all interested elements in building a record from which sound conclusions can be drawn. The allocation hearings just closed were a magnificent example of the way in which industry and government can pull together in reaching an agreement at least on the facts upon which conclusions must be based. There were, of course, some exceptions in the allocations hearings—a few problems too tough to achieve agreement even on the facts. But, in reviewing the spectrum from 10 kilocycles to 30,000,000 kilocycles, the amount of agreement reached is astonishing—thanks principally to industry cooperation in building the record. NBC and CBS both applauded the television allocation, for example. So the day of miracles is not past. I am hopeful that similar cooperative efforts will characterize the clear-channel hearings and from the way we are started I think that will be the case.

"I want to say to you further and with all earnestness that the Commission faces the clear channel problem with no advance conclusions or commitments. So far as I know, we are completely open-minded. We want first of all to determine what the nation-wide service picture really is. The latest survey on that subject is already seven years old and was challenged as inadequate when it was made. We want a picture of what is technically possible from an engineering point of view. And we want all the other facts in addition to engineering data which bear upon the subject. With such a record, it should be possible for the Commission to reach conclusions which would bring service to the underserved millions without doing violence to the American system of broadcasting or the legitimate interests of any particular broadcaster.

"The clear-channel group of broadcasters, the four networks and all other interested parties who have something to contribute can be of genuine help by coming in with really constructive proposals for improving the present situation. Such proposals might involve the relocating of some facilities, changes in power upward or downward, duplicate operation on clear channels, changes in antenna design or any other proposals directed toward the objective of obtaining a really nationwide service. It is my belief that we'll come out with a much sounder solution if we have constructive proposals from the industry to consider, rather than having a record filled with attempts to explain why so many of the channels which were cleared with such difficulty in the late 1920's are now rendering their primary service to the residents of fully-served urban centers.

"I've been asked why there was no FM issue written into our clear-channel order. The answer, in part at least, is that it's still too early to determine the effect of FM on AM broadcasting. In the highly unlikely event that FM supplants AM altogether in the next few years, the problem solves itself. No one, of course, seriously believes that's what will happen—certainly not the people who have been buying standard broadcast stations lately. In the somewhat more likely event that after a period of years enough city broadcasters have established themselves so firmly in FM that they just don't seek renewal of their standard broadcast licenses, it may be possible to solve the clear-channel problem by creating some more clear channels in the holes that are left open. But even that solution is conjectural and lies in the indefinite future. It's little comfort to the underserved millions today to tell them that some day FM may solve all the problems of standard broadcasting. That's why we're opening the clear-channel problem now, and leaving the effect of FM on clear channels for the future. I need not remind this group that, under the legislation which Congress enacted in 1927 and re-enacted in 1934, a radio channel is public domain, not private property. Congress could hardly have stated that fact more explicitly when it provided—and I quote the Congressional language—for "the *use* of channels, *but not the ownership thereof*, by persons for limited periods of time, under licenses granted by Federal authority, and no such license shall be construed to create any right beyond the terms, conditions, and periods of the license." The Commission, in setting the terms and conditions, must under the law seek to establish a satisfactory service for the entire country, and that is our basic aim in the clear-channel hearing.

"In conclusion, I have a final point. The opportunity presented by presence of members of Congress is too tempting to refrain from a little lobbying. I want to lobby quite frankly and openly for a bigger and better FCC appropriation. And I am optimistic enough to hope that the broadcasting industry, which is alleged to have had some experience in this activity, might offer some assistance. Because I think I can prove to you that it is to our mutual advantage that the regulatory and licensing facilities of the Commission be expanded and improved.

"I hasten to point out to the gentlemen of Congress that I have read Section 201 of Title 18 of the United States Code which makes it a penal offense to use appropriations to pay for personal services to influence members of Congress to favor or oppose legislation and I have a legal opinion that since I am doing this on NAB time and at their expense, the statute does not apply.

"My purposes in seeking a larger appropriation for regular activities—not just a slightly larger but a much larger appropriation—do not arise from the pride of a bureaucrat who wants a bigger staff or more luxurious assistance, but stems from an honest conviction that the better the job the Commission does, the better not only the public but the industries which the Commission regulates will be served. Let's take a few examples.

"The Commission urgently needs more personnel to process broadcasting applications. On the very day the War Production Board gives the green light for civilian station construction, the Commission will be beseiged for prompt action on some 500 applications for new FM stations (more than 350 of which are now on file), almost 100 television applications now on file and many more to come in these and other services. We estimate that when manpower and materials become available our licensing work will be increased at least ten-fold over the rate that prevailed before the war.

"Even if procedures are drastically revised and every effort made to simplify and stream-line, the administrative burden of discharging our statutory functions in determining the legal, technical, financial and other qualifications of applicants will be enormously increased.

"Many of you broadcasters have applications pending and there are many others in the industry who have been waiting for a termination of the war in order to improve existing facilities or build new stations. Considerable sums have been invested in preliminary engineering and legal work, money has been expended on sites and other preparatory and development expenses have been incurred. After months of waiting and planning you and other broadcasters will want and expect and deserve prompt service from the Commission.

"Frankly, you are not going to get it unless the Commission has the opportunity to expand its facilities and personnel to give this service. All of you are familiar with the amount of work necessary to bring even an uncontested application to final decision. This is not the place to debate whether all the procedures in effect are essential but I think there will be agreement at least upon the necessity of the Commission making an adequate review of the proposals it receives. Then consider the 350 FM and 100 television applications, with many more to come when the green light flashes. Then I will ask you to make a mental estimate of the number of engineers we now have on hand to process them. The Non-standard Broadcast Section of our Engineering Department is responsible for processing these applications. But, in addition to television and FM, this section also has responsibility for international broadcasting, facsimile, studio-transmitter link and some miscellaneous categories. And the section which has all these duties is composed of at present of precisely three engineers.

"We are reviewing our work-load, present and anticipated, with a view of asking Congress for a supplemental appropriation in order that those who have post-war plans about communications, including broadcasting, will not be held up by the Commission. Our goal in broadcast matters is to give the industry and the public a 30-day speed of service on all applications which can be granted without a hearing and a 90-day speed of service where a hearing is necessary. If we achieve this goal, the development for post-war broadcasting will be expedited, employment opportunities created for returning veterans and others and when final victory over our enemies is achieved we should be ready to move forward without undue delay.

It is a source of embarrassment to those of us at the Commission to have to explain to members of Congress and applicants why the matters in which they are interested have been pending for months without action. Frankly, we all have gotten a little weary of having to apologize. We are now going to estimate our work as accurately as we can and submit a plan to the Budget Bureau and Congress which will be designed to achieve the goals we have set for ourselves. And I have every confidence that Congress will view our requirements sympathetically.

"Speed of service is only one aspect of the problem in which broadcasters should be interested. There is also the question of quality of service. FM, for example, is being widely advertised to the public as an interference-free service. It is also being urged as the final solution to all the alleged ills of broadcasting, all the way from the need for more free speech to the question of what to do about clear channels. I hope it fulfills all these expectations and I believe it has a real chance to do it. But the achieving of these or any other ends will depend in good measure upon soundness of the Commission's FM rules, its Standards of Good Engineering Practice and the proper application of these technical rules and standards in particular cases. The standard broadcast band today is an eloquent example of how badly such problems were handled 20 years ago. An effort must be made to get the technical rules and standards as near right as possible the first time rather than to try to unscramble the omelet at some future date.

"Accordingly, as soon as the allocations are out of the way, the Commission's technical staff will get into the job of developing the soundest possible technical rules and standards to match. Of course, we want to do the best job possible. That means more engineers—and the best engineers to be had. It means also a strengthening of the legal and accounting departments.

"When we submit revised estimates for these important purposes we may try to get a little more money for research. I am not talking about the kind of research that is performed in the great laboratories of this industry. But rather a sufficient staff of competent experts to coordinate the results of private research wherever it is important for the industry as a whole and applicable to the functions of the regulatory agency. Those of you who sat through the allocations hearings know how frequently an important issue turned upon the answer to a particular question—and nobody knew the answer. As Major Armstrong put it at one point, the Commission was in a position of having to predict or guess what was going to happen at the height of the next 11-year sunspot cycle. There were many other examples where intelligent research would have been vastly superior to argument in answering difficult questions.

"In the Technical Information Division of the Commission, where research of this general character is centered, we find again only three engineers.

"There are other important fields of non-technical research that could be explored. Questions of social and economic policy are too often based upon the predilections of the individuals rather than upon facts. (My earlier remarks this evening may be cited by some as an evidence of that conclusion.) But back in 1938, Senator Wheeler introduced a bill to establish a Director of Research within the Commission and so I take no credit for the idea. However, I am of the firm opinion that every dollar spent upon the proper kind of research in communications will be returned many times in terms of better service to the public, a more informed attitude by the regulatory authority and perhaps result in a more stable foundation for the industries involved.

"Finally, an increased appropriation is only one phase of getting us ready to do our job properly and promptly; finding the right men to fill the jobs is another. Today, of course, all the money in the world wouldn't get the engineering talent we need. Radio engineers are largely in the armed forces or engaged in vital war communications work. But as these men are released the Commission will want and need the services of some of them. I am hopeful, indeed, that the Commission at the proper time can sit down with the Army Signal Corps and the Office of Naval Communications and work out an arrangement whereby our employment needs will be geared into their demobilization policies. In that way a qualified veteran could walk into the Commission the day he was discharged from the armed forces and find a desk ready and his work laid out.

"Time does not permit discussion or exploration of other problems which lie ahead. I can only say that we have our work cut out for us. In addition to winding up the frequency allocations above 25,000 kilocycles and bringing out a proposed allocation below 25,000 kilocycles, and devising rules and standards of good engineering practice for the new services involved, we also have the clear channel hearing in prospect. Moreover there is the complex question of international communications and the proposals for a consolidation or merger of these carriers. If that completed the agenda for the immediate future, it would be enough. But there's the question of what to do about international broadcasting when OWI is no longer in the field and we must consider that. Added to that is the question of what new communications legislation should be recommended to Congress. And, of course meantime, we must help prepare for the Inter-American Radio Conference at Rio de Janeiro in June and perhaps a world telecommunications conference thereafter. And always right ahead of us are the hundreds—and perhaps thousands—of broadcast applications staring us in the eye demanding attention when the freeze is thawed.

"It looks like a busy Spring ahead!"

PORTER TO ADDRESS MORSE TELEGRAPH CLUB

Paul A. Porter will be the principal speaker at a dinner to be given by the Baltimore chapter of the Morse Telegraph Club of America in that city on April 27. This announcement was made by Captain John Logan, President of the Chapter. The dinner will honor the 154th anniversary of the birth of Samuel F. B. Morse, the inventor of the telegraph. Commemorative dinners will be held at the same time in other cities throughout the country.

SENATE COMMITTEE ON APPROPRIATIONS APPROVES FCC NATIONAL DEFENSE FUND

The Senate Committee on Appropriations in reporting out the Independent Offices bill for 1946 included provision of a $2,430,000 fund for National Defense activities of the Federal Communications Commission. This provision was in the bill as passed by the House.

The Senate Committee stipulated that the funds allocated for expenditure in the European area will cease to be available for obligation 60 days after the cessation of hostilities with Germany.

RADIO
1920 - 1945
XXV

WPAR GROOVES XXV INTO FLOOD NEWS PROGRAMS

WPAR, Parkersburg, W. Va., gave its listeners a series of programs *in the public interest* with complete news coverage on the recent floods which swept through Parkersburg and the Ohio River Valley.

Frequent mention of radio's 25th Anniversary was grooved in with announcements that: *Radio, observing its 25th Anniversary, brings you another program in the public interest—up-to-the-minute news on the flood.*

George H. Clinton, WPAR manager, announces that these flood programs were heard on all stations in the West Virginia network, which in turn cooperated with WLW, Cincinnati, to give listeners adequate coverage on the critical flood area.

PAPER DRIVE GETS UNEXPECTED RESULTS

Another fine old proverb has just been busted wide open. If Al Johnson, manager of Radio Station KOY, could have "counted his chickens before they were hatched," he probably would have been saved a lot of grief.

It all happened when the Phoenix station offered school children a free movie ticket for turning in ten pounds of scrap paper. Plans were made to have one theater, seating capacity 1600, honor the tickets at a special Saturday morning show.

As 210,000 pounds of paper piled up in school yards, more than 13,000 children demanded tickets to the show. After much hustling and a lot of worrying, Manager Johnson solved the problem by enlisting five theaters and running the show two consecutive Saturdays.

PROGRAM COMMITTEE MEETS IN WASHINGTON

The NAB Program Managers Committee opened a scheduled three-day meeting Wednesday (14) at the Statler Hotel, Washington, D. C.

All members of the Program Managers Executive Committee were present, as were all District Chairmen with the exception of J. C. Tully, WJAC.

First day of the meeting opened at 10 a. m. with a brief review of the origin and objectives of NAB Program Managers Committee, Chairman Harold Fair, WHO, speaking.

Afternoon of the first day was devoted to a session under the direction of George P. Ludlam, Chief, Domestic Radio Bureau, OWI. Mr. Ludlam, ably assisted by other members of the OWI staff, discussed at length problems arising from personnel and other shortages imposed by wartime operation.

Second day (15) opened with Eugene Carr (WJR), Director, Radio Section, War Finance Division of the Treasury Department, acting as Chairman for the day. Seventh War Loan was the topic of the day, with discussions on former War Loan drives. A luncheon followed at the Treasury Department where guests saw an uncensored war film. After the afternoon session at the Statler a reception concluded activities of the second day. Present were: Program Managers, Government officials, civil and military, and representatives of the Trade Press.

Friday, March 16, third and final day, will open with a discussion on *Radio's 25th Anniversary*, with later sessions devoted to discussions by Office of Censorship and Treasury Department officials. John Fetzer (WKZO), Assistant Director in Charge of Broadcasting, OWI, and Ted R. Gamble, National Director, War Finance Division, Treasury Department, are to be featured speakers.

TREASURY CONFIRMS 7TH WAR LOAN DATES

At the request of the Treasury Department, NAB is reiterating the fact that dates of the 7th War Loan are May 14-June 30, inclusive, as printed in last week's REPORTS.

Treasury Radio Chief Gene Carr says some confusion exists in the field because persons participating in the payroll deduction plan are to be solicited from April 9 on. Mr. Carr says in explanation:

"Radiowise, we plan to do nothing which will detract from the big radio 'kick-off' shows of May 13 and from all the 7th War Loan shows which follow. However, we do feel that we can help the payroll savings people get the boys in the factories to sign on the dotted line early in April so we are putting some radio 'push' behind the advance payroll savings drive. All of the SALUTES which are to be run from April 9 to May 12 will have payroll savings announcements on them, will tell the workers to 'stash away some of that money now to help reach the goal of the Mighty Seventh.'

"OWI allocations during this same period will feature 'upping the ante' on payroll deductions. We would appreciate anything you can do locally to help the plants and factories. I am sure the local War Finance committee people will be very glad to cooperate with you in developing some shows of this type. They have been thoroughly informed as to copy policy and know all the angles to be promoted in the preliminaries to the Mighty Seventh.

"But don't forget the dates for the Seventh are *still* May 14 through June 30. That's when we give them both barrels in the way of radio promotion."

HELP FOR VETERANS

The number of Government agencies having to do with aid to the returned veteran and the larger number of other organizations, large and small, which may have helped, and which give evidence of wanting to help, have created a confused situation throughout the industry. Many letters and wires have been received from broadcasters asking for information.

NAB reproduces below an analytical letter solicited from George P. Ludlam, chief, Domestic Radio Bureau, OWI.

What Mr. Ludlam's appraisal says is that the situation is well in hand; don't rock the boat. It suggests that broadcasters use the time between now and the end of the war to make sure that there are created strong local Veteran Service Committees.

The suggestion for such committees, outlined in the book, "Veterans' Information Program" (which has been mailed to all stations), undoubtedly came from the Baruch report.

Section 6, part III (page 32), of this report reads: "That there be in each community, only one place to which returning service men and service women need to go to learn *ALL* their rights and how to get them."

Mr. Ludlam's Letter

Mr. Ludlam's letter is as follows:

"In answer to your inquiry of March 14, I can say very definitely that the affairs and problems of the returned veterans are considered an official 'war information program'—in other words, part of the regular pattern of war programs handled on a regular scheduled basis on facilities made available to the Radio Bureau of the Office of War Information.

"These facilities, as you know, have been set up to provide with the cooperation of all networks and every station in the country for a complete coverage of all problems having to do with the prosecution of the war or arising immediately from it on both a national and local basis. This means, in practical terms, that whenever it is necessary to transmit official information on the subject of veterans, more than adequate facilities are available and can immediately be employed by government agencies both nationally and locally through contact with OWI national and regional offices.

"At the moment, therefore, there would appear to be no urgent reason for additional coverage over and above what can be provided by present Radio Bureau schedules. Through these schedules, in which all radio stations participate, are transmitted all currently pertinent and authoritative information, as outlined in the 'Veterans Information Program' book published February, 1945. This is particularly true in view of the fact that the Veterans Program today is of minor dimensions compared to what it will be when demobilization begins in earnest. Stations may justifiably feel that their best promotional efforts and ideas should be held back until the situation calls for them more urgently, especially since an overwhelming majority of their listeners, whose men are still fighting, are probably less concerned today with the program of the veteran than with the life of the soldier.

"It is fair to say, I think, that existing arrangements for radio coverage will take care of the problem adequately while present Radio Bureau operating schedules are in effect, and as long as no coordinated and generally accepted local activity is in existence in any given community. It is the hope of the government, however, as outlined on page 5 of the 'Veterans Information Program' book, that such local activity will be coordinated as soon as possible through the cooperation of community and federal agencies as well as local business, fraternal and patriotic groups. Where this has been achieved or is being achieved the local radio station will undoubtedly find it most desirable to cooperate—indeed to be a leader in the community effort.

"Where such centralization has not yet occurred, stations which are approached by individual organizations eager to be of assistance to the veteran may reasonably suggest that radio cooperation should be made available to a coordinated community undertaking rather than to any single group."

SOLDIERS LIKE HARTFORD "HOME TOWN" SHOW 3 MORE COMPLETIONS, 2 MORE ALLOCATIONS

General "Ike" Eisenhower knew what he was talking about when he made his request to the broadcast industry for a series of "hometown" broadcasts. Response from Connecticut servicemen and women on the various fronts who heard Hartford's "Let's Go to Town" program proves it. Each letter tells of the lift it gave them. Some of the more than 300 communications come from men at the front, some from men in hospitals, others from men who heard the program at sea—all plainly thrilled to hear familiar voices talking of familiar places, all testifying to the fact that the program was an outstanding morale builder.

The format of the Hartford program was that of a make-believe 30 minute leave for Hartford's men and women in the Armed Forces. They were met at the railroad station, taken to various familiar places—including Bushnell Memorial, night clubs, restaurants, a theater, a jaunt up Main Street, etc. "Radio-leave" terminated at the airport from which the service men and women returned to their posts by plane. Short talks by Gov. Raymond E. Baldwin and Mayor William H. Mortensen were featured in addition to talks by well-known local personalities.

Hartford's four radio stations—WTIC, WDRC, WTHT and WHTD—cooperated in organizing the program, with Bernard Mullins, chief announcer of WTIC, in charge of production. Mullins also wrote most of the script. Authenticity was the keyword in the production, and many remote pickups direct from the places mentioned on the "tour" were necessary to achieve the desired effect.

Altogether fourteen "scenes" were made in various places and combined in the half-hour program, in such a way that only the initiated could tell where one "scene" ended and the next one began. The program was auditioned by Paul W. Morency, NAB 1st District Director, and Leonard J. Patricelli, Task Force Commander, and, after thirty days in production, Hartford's contribution to the "Let's Go to Town" series was on its way to our Armed Forces.

Because the first letters of response were received from the Pacific area, it is believed that the program was heard in the Pacific before it was released in the European Theater of Operations. According to George Monaghan, formerly of WTHT in Hartford, and now an announcer for the Armed Forces Radio in England, Hartford's program was first of the series to be heard in Europe. (Note: the Hartford show went air transport to ETO sometime in the period Dec. 28-Jan. 3 and to short wave, same date.)

As for the reaction to the broadcast, quotes from a few of the letters which have been received speak for themselves.

Soldier Reactions

Sgt. Fred Cook of Hartford, who heard the program in Belgium, writes: "That program is what we over here, so many thousands of miles from home, like to hear. My hat is off to the person or persons who thought of this."

Cpl. Arnold Singer, Hartford, writes from "somewhere in Germany": "I can assure you that this program was the finest morale builder we have had in a long time. Midst the shells and strain of combat in this remote land of the enemy, this radio program came as 'the pause that refreshes' to those of us from our fair city. When I heard the first few words of the program and the mention of the magic word, 'Hartford,' I called out to a couple of other Hartfordites near me and the three of us sat with a faraway look in our eyes and our ears glued to the radio for the entire period of the program. As the various familiar names were mentioned of people and places, you could see our faces light up and a trace of a smile of some pleasant memory would be noticeable to others here. Yes, it did our hearts good to hear those word pictures again and we are most grateful to whom it may concern."

Pvt. Barney C. Plevokas, East Hartford, now "somewhere in France" says: "I heard the 'Let's Go to Town' program, and my main reason for writing is to let you people back home know that I'm grateful to learn that the State has worked out a plan for this war's veterans. To be frank, I was a bit worried about my post-war security, but I'm not any more, thanks to the people of Connecticut. During the course of the program Governor Baldwin mentioned the fact that all that was needed to put the plan into motion was for the boys and women to come back. I can't exactly say how I felt when I heard the program about Hartford, my home town, but I can assure you that I feel much better now than I did before the broadcast."

Sgt. Abbott, Hartford, writes from a hospital in France: "I'll be back at the front in a few days and am grateful to you and the rest of those responsible for the program for granting me the chance to carry some choice memories back with me. It gives me something else to look forward to. Thanks again, and we'll all be seeing you soon."

Cpl. Wolcott C. Hamblin, Hartford, writes from Belgium: "It was truly a furlough by proxy."

These few excerpts are typical of the many, many letters that have been sent to Hartford.

3 More Completions

Three more "home town" shows have been finished since last week:

DISTRICT 7

Youngstown................J. L. Bowden, WKBN, *TFC

DISTRICT 8

Detroit..................Harry Bannister, WWJ, *TFC

DISTRICT 17

Tacoma..................Verne E. Sawyer, KMO, *TFC

2 New Allocations

1. A second "Let's Go to Town" program from Milwaukee is in production. R. G. Winnie, WTMJ, is Task Force Commander.
2. A second "Let's Go to Town" program has been allocated to Waterbury, Conn. Task Force Commander is E. J. Frey, WBRY.

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* Task Force Commander.

WHAS AND PAPERS GET LEGION AWARD

For promoting and sponsoring the "Phone Home Fund" which provided a "pot" slightly in excess of $40,000 for wounded soldiers at Nichols General Hospital and Bowman

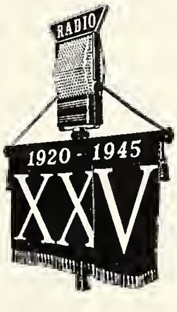
Field A.A.F. Hospital, radio station WHAS, Louisville, *The Courier Journal* and *The Louisville Times* received a certificate of distinguished service from the American Legion, Department of Kentucky. So far the fund has met the cost of more than 2500 fifteen-minute calls made by wounded soldiers to their homes.

The first calls were made at Nichols General Hospital on Armistice Day, 1944, and at the Air Force Convalescent Hospital on Christmas Eve. The fund is expected to give every wounded soldier in these two hospitals a free call during all of 1945. J. Mac Wynn, promotion director for the newspapers and WHAS, received the citation.

ADDITIONAL COPIES RADIO NEWS RECOMMENDATIONS AVAILABLE

A number of stations have written for extra copies of "Radio News Recommendations," copies of which were mailed with last week's REPORTS.

Requests will be filled promptly. A supply has been earmarked for this purpose.



MOTOROLA RADIO OBSERVES RADIO'S 25TH ANNIVERSARY

In cooperation with NAB the Galvin Manufacturing (Motorola Radio) Corporation will adopt the recommended theme "1945—Radio's Twenty-Fifth Anniversary—Pledged to Victory" for appropriate inclusion in all Motorola Radio advertising.

Means are also being considered to publicize further Radio's Twenty-Fifth Anniversary by using Motorola Radio painted bulletin boards in metropolitan centers and Motorola Radio highway signs from coast to coast.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 19. They are subject to change.

Monday, March 19

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license, **590 kc.**, 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license, **1510 kc.**, 10 KW, unlimited, DA-night.

WGBF—Evansville On The Air, Evansville, Ind.—Renewal of license, **1280 kc.**, 1 KW night, 5 KW day, unlimited.

Wednesday, March 21

WMC—Memphis Publishing Company, Memphis, Tenn.—Renewal of license, **790 kc.**, 5 KW (main), 500 watts (auxiliary); Unlimited (main), DA-night, auxiliary purposes only (auxiliary).

Before Norman S. Case, Commissioner

WDSU—In the matter of hearing to determine whether E. A. Stephens, Fred Weber, and H. G. Wall, doing business as Stephens Broadcasting Company (WDSU), New Orleans, Louisiana, have violated Section 315 of the Communications Act.

Thursday, March 22

Further Hearing

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Renewal of license, **1020 kc.**, 1 KW, limited.

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Renewal of license, **1110 kc.**, 10 KW, unlimited, DA-night and day.

Federal Communications Commission Action

APPLICATIONS GRANTED

KINY—Edwin A. Kraft, Juneau, Alaska.—Granted modification of construction permit which authorized increase in power, etc., for extension of completion date to June 11, 1945, subject to the express condition that the permittee shall satisfy legitimate complaints of blanketing within the 250 mv/m contour, including external cross modulation. (B-MP-1802)

WTMV—Mississippi Valley Broadcasting Co., Inc., E. St. Louis, Ill.—Granted authority to determine operating power by direct measurement. (B4-Z-1666)

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Granted authority to determine operating power by direct measurement of antenna power, upon the express condition that the licensee shall install a new antenna and ground system which will comply with the Standards of Good Engineering Practice whenever materials become available without need for priority assistance. (B1-Z-1665)

WRDO—WRDO, Inc., Augusta, Maine.—Granted authority to determine operating power by direct measurement of antenna power. (B1-Z-1673)

WBIR—American Broadcasting Co. (Assignor), Radio Station WBIR, Inc. (Assignee), Knoxville, Tenn.—Granted consent to voluntary assignment of license of station WBIR from American Broadcasting Co. (a Ky. Corp.) to Radio Station WBIR, Inc. (a Tenn. Corp., same stockholders), for a total of $185,751, representing notes of assignee to assignor of $111,222; assumption by assignee of notes payable of $71,150, and current liabilities of approximately $3,379. (B3-AL-467)

KTUL—J. T. Griffin, deceased, (Transferor), John Toole Griffin and Marjorie Griffin Leake, Executors under the will of J. T. Griffin, deceased (Transferees), Tulsa Broadcasting Co., Inc. (Licensee), Tulsa, Okla.—Granted consent to involuntary transfer of control of Tulsa Broadcasting Co., Inc., licensee of KTUL, from J. T. Griffin, deceased, to John Toole Griffin and Marjorie Griffin Leake, Executors under the will of J. T. Griffin, deceased. No monetary consideration involved. (B3-TC-427)

WIAC—Enrique Abarca Sanfeliz, deceased (Transferor), Mrs. Enrique Abarca Sanfeliz, Executrix of estate of Enrique Abarca Sanfeliz, deceased (Transferee), Radio Station WIAC, Inc. (Licensee), San Juan, Puerto Rico.—Granted consent to involuntary transfer of control of radio station WIAC, Inc., licensee of station WIAC, from Enrique Abarca Sanfeliz, deceased, to his wife as executrix of the estate. No monetary consideration involved. (B-TC-425)

WHBG—Herbert Kendrick and G. L. Hash, a Partnership, d/b as Harrisburg Broadcasting Co., Harrisburg, Pa.—Granted modification of construction permit, pursuant to Commission action of November 9, 1944, authorizing a new station to operate on frequency of **1400 kc.**, with 250 watts unlimited time, for approval of antenna and transmitter and studio location. (B2-MP-1792) In its Memorandum Opinion granting the above, the Commission also ordered that a construction permit, as modified, should be issued.

DESIGNATED FOR HEARING

KJR—Fisher's Blend Station, Inc. (Assignor), Birt F. Fisher (Assignee), Seattle, Wash.—Designated for hearing application for consent to voluntary assignment of license of Station KJR and relay, from Fisher's Blend Station, Inc., to Birt F. Fisher. (B5-AL-460 and B5-ALRE-35)

LICENSES GRANTED

KONP—Evening News Press, Inc., Port Angeles, Wash.—Granted license to cover construction permit which authorized a new station to operate on **1450 k.c.,** 250 watts, unlimited time; also granted authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules nad Regulations upon the following conditions: (a) That a Triplett 1696A modulation monitor will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. (B5-L-1858)

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Granted license to cover construction permit which authorized move of old main transmitter to present site to be operated as an auxiliary transmitter; also granted authority to determine operating power by direct measurement. (B2-L-1863; B2-Z-1667)

WATW—Upper Michigan-Wisconsin Broadcasting Co., Inc., Ashland, Wisc.—Granted license to cover construction permit which authorized increase in power to 250 watts and change in type of transmitter. (B4-L-1869)

WAJR—West Virginia Radio Corp., Morgantown, W. Va.—Granted application for renewal of license for regular period.

WSKB—McComb Broadcasting Corp., McComb, Miss.—Granted extension of license on a temporary basis for a period of three months.

WFTC—Jonas Weiland, Kinston, N. C.—Granted extension of license on a temporary basis for a period of three months.

WIND—Great Trails Broadcasting Corp., Dayton, Ohio.—Granted extension of license on a temporary basis for a period of six months.

W9XMB—The Moody Bible Institute of Chicago, Ill.—Granted renewal of ST broadcast station license for the period ending April 1, 1946. (B4-RST-6)

W8XFM—The Crosley Corp., Cincinnati, Ohio.—Granted renewal of temporary class 2 experimental high frequency broadcast station license for the period ending not later than April 1, 1946. (B2-REB-3)

WNEX—Macon Broadcasting Co., Macon, Ga.—Adopted Memorandum Opinion granting modification of construction permit (pursuant to Commission's action of November 28, 1944, authorizing a new station to operate on **1400 kc.,** 250 watts, unlimited power, subject to the condition that E. M. Lowe and Alfred Lowe divest themselves of any connection with the Middle Georgia Broadcasting Co., licensee of station WBML at Macon) for approval of antenna, transmitter site, and to specify studio location; further ordered that a construction permit, as thus modified be issued subject to condition stated above. (B3-MP-1794)

Lincoln Dellar, Sacramento, Calif.—Adopted Memorandum Opinion ordering issuance of a construction permit pursuant to Commission's action of November 9, 1944, authorizing a new station to operate on **1490 kc.,** 250 watts, unlimited time.

Ewing C. Kelly, David R. McKinley and Vernon Hansen, d/b as Central Valleys Broadcasting Co., Sacramento, Calif.—Adopted Memorandum Opinion ordering issuance of a construction permit pursuant to Commission's action of November 9, 1944, authorizing a new station to operate on **1340 kc.,** 250 watts, unlimited time.

Herald Publishing Co. of Klamath Falls, Klamath Falls, Ore.—Granted request for a 30-day extension of time within which to comply with the procedural conditions attached to conditional grant for a new station made on November 21, 1944.

WPIC—Sharon Herald Broadcasting Co., Sharon, Pa.—Notified station to discontinue its operation prior to local sunrise pursuant to Section 3.87 of the Commission's Rules. Station WPIC is licensed to operate on **790 kc.,** 1 KW daytime only, but, under Section 3.87 it has operated between the hours of 4 a.m. and local sunrise, subject to the proviso that any station operating during such hours receiving notice from the Commission that undue interference is caused shall refrain from such operation during such hours pending further notice from the Commission. Station WTAR, Norfolk, Va., has petitioned the Commission to order WPIC to refrain from operating prior to sunrise because of interference to WTAR also operating on **790 kc.**

MISCELLANEOUS

KSUI—The State University of Iowa, Iowa City, Ia.—Granted modification of construction permit which authorized a new non-commercial educational broadcast station, for extension of completion date to July 16, 1945. (B4-MPED-19).

WATB—Indianapolis Broadcasting Co., Indianapolis, Ind.—Granted renewal of relay broadcast station license.

The Ohio Broadcasting Co., E. Liverpool, Ohio.—Placed in the pending files in accordance with Commission's policy of February 23, 1943, application for new FM broadcast station.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Granted petition for continuance for hearing on applications for renewal of licenses now scheduled for March 19 and continued same to April 18, 1945.

KGA—Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses now scheduled for March 19 and continued same to April 18, 1945.

Utica Observer-Dispatch, Inc., Utica, N. Y.—Granted petition to intervene in the hearing on application of Copper City Broadcasting Corp., for a new station at Rome, N. Y., now scheduled for April 11, 1945.

WEW—The St. Louis University, St. Louis, Mo.—Denied request for special service authorization to operate on **770 kc.,** with power of 1 KW day and 250 watts night, unlimited time, for the period ending November 1, 1946. (B4-SSA-122)

KECA—Blue Network Company, Inc., Los Angeles, Calif.—Denied request for special service authorization to operate on **770 kc.,** with power of 5 KW, unlimited time, pending completion of construction contemplated in pending application. (B5-SSA-119)

APPLICATIONS FILED AT FCC

750 Kilocycles

KXL—KXL Broadcasters, Portland, Ore.—Modification of license to change hours of operation from limited time to unlimited time.

770 Kilocycles

KXA—American Radio Telephone Co., Seattle, Wash.—Special service authorization to operate unlimited time for the period ending 11-1-46.

1230 Kilocycles

WOLS—The Florence Broadcasting Co., Inc., Florence, S. C.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

WFVA—Fredericksburg Broadcasting Corp., Fredericksburg, Va.—License to cover construction permit (B2-ML-1169) which authorized change in frequency and hours of operation.

WFVA—Fredericksburg Broadcasting Corp., Fredericksburg, Va.—Authority to determine operating power by direct measurement of antenna power.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—License to cover construction permit (B3-P-3596) as modified, which authorized change in frequency.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Authority to determine operating power by direct measurement of antenna power.

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—Voluntary transfer of control of licensee corporation from Charles T. Stuart and James Stuart to Stuart Investment Co.—100%.

1320 Kilocycles

WJHP—The Metropolis Co., Jacksonville, Fla.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—Scripps-Howard Radio, Inc., Cleveland, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **46300 kc.** with coverage of 8,500 square miles.

NEW—News-Press Publishing Co., Santa Barbara, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on **44300 kc.** with coverage of 17,273 square miles.

NEW—Kokomo Broadcasting Corp., Kokomo, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45700 kc.** with coverage of 6,900 square miles.

TELEVISION APPLICATIONS

NEW—Scripps-Howard Radio, Inc., Cleveland, Ohio—Construction permit for a new commercial televisoin broadcast station to be operated on Channel #2 **(60000-66000 kc.)**, with ESR of 1720.

NEW—Philadelphia Daily News, Inc., Philadelphia, Pa.—Construction permit for a new commercial television broadcast station to be operated on Channel #9 **(180000-186000 kc.)** with ESR of 770.7.

NEW—Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa—Construction permit for a new commercial television broadcast station to be operated on Channel #3 **(66000-72000 kc.)** with ESR of 1227 and 1062.

NEW—The Crosley Corp., Dayton, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #4 **(78000-84000 kc.)** with ESR of 1920.

W2XJT—William B. Still, tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Modification of construction permit (B1-PVB-100, which authorized a new experimental television broadcast station) for extension of completion date from 4-1-45 to 6-30-45.

MISCELLANEOUS APPLICATIONS

NEW—Raytheon Manufacturing Co., New York, N. Y.—Construction permit for a new developmental broadcast station to be operated on **470000-472000 kc.**, power of 5 KW and special emission.

NEW—Sacramento City Unified School District, Sacramento, Calif.—Construction permit for a new non-commercial educational broadcast station to be operated on **42300 kc.**, power of 250 watts, and A3 emission.

NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Construction permit for a new experimental television relay broadcast station to be operated on Channels #13 and #14 **(230000-242000 kc.)**, A5 and A3 emission, power of watts (peak) for visual and 40 watts for aural.

NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Modification of construction permit (B1-PVB-121 as modified, which authorized a new experimental television relay broadcast station) to change power from 15 watts (peak) for visual and 10 watts for aural to 40 watts (peak) for visual and 40 watts for aural, change location from area of District of Columbia to area of central and N.E. Maryland, S.E. Pennsylvania and District of Columbia, change type of transmitter and antenna, and extend commencement and completion dates from 12-2-44 and 6-2-45 to 60 days from date of grant and 180 days thereafter, respectively.

NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Modification of construction permit (B1-PVB-117 as modified, which authorized a new experimental television relay broadcast station) to change power from 15 watts (peak) for visual and 10 watts for aural to 40 watts (peak) for visual and 40 watts for aural, change location from area of Havre de Grace, Md., to area of Central and N.E. Maryland, S.E. Pennsylvania, and District of Columbia, change type of transmitter and antenna, and extend commencement and completion dates from 12-2-44 and 6-2-45 to 60 days from date of grant and 180 days thereafter, respectively.

NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Modification of construction permit (B1-PVB-118, as modified, which authorized a new experimental television relay broadcast station) to change power from 15 watts (peak) for visual and 10 watts for aural to 40 watts (peak) for visual and 40 watts for aural, change location from area of Havre de Grace, Md., to area of Central and N. E. Maryland, S. E. Pennsylvania, and District of Columbia, change type of transmitter and antenna, and extend commencement and completion dates from 12-2-44 and 6-2-45 to 60 days after date of grant and 180 days thereafter respectively.

NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Modification of construction permit (B2-PVB-119, as modified, which authorized a new experimental television relay broadcast station) to change power from 15 watts (peak) for visual and 10 watts for aural to 40 watts (peak) for visual and 40 watts for aural, change location from area of Honey Brook, Pa., to area of Central and N.E. Maryland, S. E. Pennsylvania, and District of Columbia, change type of transmitter and antenna, and extend commencement and completion dates from 12-2-44 and 6-2-45 to 60 days after grant and 180 days thereafter respectively.

NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Modification of construction permit (B2-PVB-120, as modified, which authorized a new experimental television relay broadcast station) to change power from 15 watts (peak) for visual and 10 watts for aural to 40 watts (peak) for visual and 40 watts for aural, change location from area of S.E. Pennsylvania to area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia, change type of transmitter and antenna, and extend commencement and completion dates from 12-2-44 and 6-2-45 to 60 days after date of grant and 180 days thereafter respectively.

NEW—Philco Radio & Television Corp., area of Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia—Modification of construction permit (B1-PVB-122, as modified, which authorized a new experimental television relay broadcast station) to change power from 15 watts (peak) for visual and 10 watts for aural to 40 watts (peak) for visual and 40 watts for aural, change location from area of Sapington, Md., to Central and N.E. Maryland, S.E. Pennsylvania and District of Columbia, change type of transmitter and antenna, and extend commencement and completion dates from 12-2-44 and 6-2-45 to 60 days after date of grant and 180 days thereafter, respectively.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Charles of the Ritz Distributors Corporation, 9 University Place, New York, engaged in the sale and distribution of cosmetics, is charged in a complaint with disseminating advertisements which represent falsely that the product designated "Charles of the Ritz Throat Cream" will keep the throat smooth, firm and young looking. (5293)

Charles A. Gearing—A complaint has been issued charging Charles A. Gearing, 311 S. 22nd Avenue, Belwood, Ill., with misrepresentation in connection with the interstate sale of church flags and banners. (5292)

Nix Cosmetics Company, 162 Madison Avenue, Memphis, Tenn., is charged in a complaint with disseminating advertisements in which it represents falsely that the product it sells under the name "Nanette Cosmetc Cream," when applied as directed, will develop and increase the size of a woman's breasts which lack normal growth in size because of insufficient estrogenic substances. (5291)

Truscon Laboratories, Inc.—Misrepresentation of the properties and effectiveness of waterproofing compounds advertised for treating stone, brick and cement structures is alleged in a complaint issued against The Truscon Laboratories, Inc., Detroit. The products sold by the respondent company are designated Truscon Zilicon Waterproofing Paste, Truscon Super-Por-Seal, Truscon Por-Lox, Truscon Caulking Compound and Truscon Mortite. (5290)

United Advertising Companies, Inc., 205 No. Michigan Avenue, Chicago, and Nelson J. McMahon, who is the corporation's president and trades as Tally Soap Company, are charged in a complaint with disseminating false advertisements concerning the therapeutic properties of medicated Tally soap. (5289)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Chick Bed Co., 96 B Ave., N. E., Cedar Rapids, Iowa, have been ordered to cease and desist from disseminating false advertisements concerning a litter or floor covering for poultry and brooder houses designated "Chick Bed." (5181)

Victory Coal Saver Mfg. Co., 32 North Pearl St., Albany, N. Y., has been ordered to cease and desist from representing that the chemical preparation he sells under the name "Victory Coal Saver" will effect a saving in coal consumption. According to the findings, the product was composed of approximately 90% common salt and small percentages of potassium permanganate and other substances, and was wholly incapable of producing any of the results claimed for it. (5076)

Vitamin Products Co., 2023 West Wisconsin Ave., Milwaukee, has been ordered to cease and desist from disseminating false advertisements concerning the nutritional and therapeutic properties of medicinal preparations, including various vitamin products. (4733)

Webster University—An order to cease and desist from misrepresentation in connection with the interstate sale of correspondence courses of instruction has been issued against Webster University, 121½ Luckie St., Atlanta, Ga. (5171)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Beauty Utilities Co., 35 West 126th St., New York, have stipulated that in connection with the sale of a coal tar hair dye designated "B.U. Hair Dye" they will cease and desist. (03855)

Daison Manufacturing Corp., 1327 Fairmont Ave., Philadelphia, and Wayman Cole and Nell Cole Graves, copartners trading as J. B. Cole's Pottery Co., Steeds, N. C., engaged in the sale of glazed pottery cooking utensils, entered into a stipulation to cease and desist from advertising, labeling, invoicing or selling such utensils unless there be glued or otherwise securely affixed thereto labels bearing an unequivocal statement in clear and legible type to the effect that the use of such utensils as cooking vessels or in connection with food is potentially dangerous, due to the lead or other deleterious ingredients of the glaze, and unless all advertisements, labels, invoices or sales promotional literature also contain statements to such effect. (3986)

Four Star Products—A stipulation to discontinue certain misrepresentations in connection with the sale of a hair remover and a facial preparation has been entered into by Samuel J. Wegman, trading as Four Star Products Co., 6513 Hollywood Blvd., Hollywood. (3988)

Alice K. Rothrock, R.F.D., Lyndon, Kansas, who also trades under the name "Kay," entered into a stipulation to cease and desist from misrepresentation in connection with the sale of recipes or formulas for the treatment of certain poultry diseases and for the care of poultry. (3985)

Spry Farms, 6180 Belmar Blvd., St. Louis, has entered into a stipulation in which he agrees that in connection with the interstate sale of chicks he will discontinue using:

1. The word "Farms" in his trade name, or the same word or any other word of like meaning which connotes that he actually owns and operates or directly and absolutely controls a farm on which are produced the chicks offered for sale under such representation.
2. The terms or statements "U. S. Approved" or "ROP sired" as designation for his chicks; or any representations that they are U.S.R.O.P. chicks, that they are properly identified as having been sired by U.S.R.O.P. males, or that he participates in the National Poultry Improvement Plan.
3. The phrase "U.S. . . . double blood tested" as descriptive of his chicks, or the words "double blood tested" or other words connoting that chicks have been blood tested, when such is not a fact. (3987)

FTC CLOSES CASE

The Federal Trade Commission has closed without prejudice the case growing out of its complaint in which it charged Bissell Carpet Sweeper Co., Grand Rapids, Mich., with discriminating in price between different purchasers of its carpet sweepers of like grade and quality, in violation of Section 2 (a) of the Robinson-Patman Act.

The order states that the Commission closed the case "after further consideration of the competitive effect of respondent's quantity discount schedule of prices and respondent's justification therefor on the basis of different service costs for the different classes of purchasers paying the different prices, . . ."

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 12, March 23, 1945

4TH DISTRICT MEETING NORTH AND SOUTH CAROLINA SECTION

North and South Carolina section of the NAB 4th District held a two-day meeting under the chairmanship of Campbell Arnoux of WTAR, District Director, at the Charlotte Hotel, Charlotte, N. C., on Thursday and Friday, March 15 and 16. The sessions were characterized by approval of the work of NAB under the direction of J. Harold Ryan, President, and enthusiasm for the newly formed Broadcast Measurement Bureau which is headed by Hugh Feltis.

At the opening session, President Ryan outlined NAB activities and objectives, stressing the many unsolved problems with which the industry is faced. G. Richard Shafto of WIS, who has been a member of the Legislative Committee since the organization of the group, presented an unusually lucid and concise report of its activities and the present status of proposed legislation.

In a similarly brief and clear report, District Director Arnoux recounted the plans of the Music Committee, which he has long served as Chairman. President Ryan returned to the floor to report on labor matters.

Following luncheon on the opening day, BMB President Feltis presented the plan for a uniform measurement of station coverage or circulation. (Full details are reported in BMB Bulletin No. 11.)

At the conclusion of the first day's sessions, the broadcasters of North and South Carolina were guests of the Charlotte radio stations—WAYS, WBT and WSOC—at a reception. These stations also furnished varied and enthusiastically received entertainment at the dinner following the reception.

As the principal speaker at the dinner, His Honor, H. H. Baxter, Mayor of the City of Charlotte, lauded the part that broadcasting has played in the conduct of the war and in the dissemination of government programs of war information. Praising both radio and press for their coverage of the actions on all of the war fronts, Mayor Baxter urged the broadcasting industry to fight unremittingly to keep press and radio free.

Following the Small Market Stations Panel at the opening of the second day's sessions, Roland Weeks of WCSC, District Chairman of the Sales Managers Committee, took the chair to preside at the Sales Managers Clinic. Lewis H. Avery presented graphs and charts tracing the growth of broadcast advertising from 1928 through 1944, while Helen A. Cornelius reviewed the possibilities and problems of retail radio advertising, concluding with a brief report of the clinical test of broadcast advertising set up by Joske's of Texas in San Antonio. The discussion of this comprehensive plan for the use of broadcast advertising by the leading department store in Texas and a review of the proposed changes in the NAB-AAAA Standard Contract for Spot Broadcasting carried through the luncheon.

The afternoon session opened with the engineering report by Philip Hedrick, Technical Director of WSJS and WMIT (FM) and District Chairman of the Engineering Committee. The report took the form of an unusual demonstration of Frequency Modulation, during which Paul Dillon, Chief Engineer of WMIT, spoke over FM from the Winston-Salem studios of the station. During the presentation, instrumental and vocal selections were transmitted to the broadcasters over FM from the Winston-Salem studios while a transcribed selection of unusually wide range was played from the transmitter atop Mt. Mitchell.

The closing report of the afternoon session was presented by Jim Moore of WSLS, District Chairman of the Public Relations Committee, who repeated his comprehensive analysis of public service, originally delivered before the District of Columbia, Virginia and West Virginia section meeting in Washington on Monday and Tuesday, March 12 and 13.

Following these reports, the broadcasters adopted unanimously the following resolutions:

RESOLVED that the North and South Carolina section of the Fourth District of the NAB expresses its genuine appreciation of the cordial hospitality and entertainment afforded its meeting by the radio stations of Charlotte, North Carolina.

RESOLVED that the North and South Carolina section of the Fourth District of the NAB extends its thanks to the management and staff of the Charlotte Hotel for the service and accommodations provided the membership of the section during its meeting.

RESOLVED that the North and South Carolina section of the Fourth District of the NAB expresses its appreciation of the courtesy extended by His Honor Mayor H. H. Baxter of the City of Charlotte by honoring us with his presence at dinner and his worthwhile contribution to the evening's program.

RESOLVED that the North and South Carolina section of the Fourth District of the NAB extends its thanks to the AAAA for honoring this meeting by sending its representative, Miss Linnea Nelson, whose authoritative and comprehensive message contributed substantially to the agenda.

RESOLVED that the North and South Carolina section of the Fourth District of the NAB hereby wholeheartedly endorses the BMB, and expresses its admiration of the unusually capable presentation of the Bureau's functions by Mr. Hugh Feltis. Be it

FURTHER RESOLVED that the section urges the prompt subscription to the BMB by each and every station as a means of establishing a necessary uniform and accepted measurement which will enable a scientific evaluation of individual station coverage.

ALABAMA-GEORGIA SECTION OF NAB 5TH DISTRICT MEETS

Two-day meeting of the Alabama-Georgia section of the NAB 5th District was opened in Atlanta at 10:30 A.M. on Monday, March 19, with District Director John C. Bell of WBRC presiding. At the outset of the meeting, Director Bell explained that the election of a District Director, for the two-year term starting later this year, will be held by mail under an arrangement to be worked out by C. E. Arney, Jr., NAB Secretary-Treasurer, with Ernst and

(Continued on page 114)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

ALABAMA-GEORGIA SECTION OF NAB 5TH DISTRICT MEETS

(Continued from page 113)

Ernst. This technique has been dictated by the inability to hold a single meeting of all the radio stations in the NAB 5th District. (The Florida radio stations are meeting in Jacksonville on Thursday and Friday, March 22 and 23.)

Most of the first morning of the Atlanta session was devoted to a comprehensive review of NAB activities and objectives by J. Harold Ryan, NAB President, who touched upon the work of each NAB standing committee and each department of the association.

Following luncheon, Hugh Feltis, BMB President, presented in detail the plan of the Broadcast Measurement Bureau for a uniform method of determining station coverage or circulation. His presentation was enthusiastically seconded by Frank Crowther (Red Cross) of WMAZ, who claimed that his station was the first in the Alabama-Georgia section of the NAB 5th District to subscribe to the project. (Full details on the BMB session will be given in a separate BMB Bulletin.)

Second morning (March 20) opened with a lengthy discussion of labor policies and problems, led by John Morgan Davis, NAB General Counsel. He reviewed recent decisions of the National Labor Relations Board and the War Labor Board and pointed out probable trends in labor relations.

Following this discussion, the Small Market Stations Panel was held, during which the transcribed presentation, "Getting the Most Out of Local Broadcasting," was played. This pointed demonstration of the opportunity and obligation of small market stations evoked considerable comment from the broadcasters present at the meeting.

District Director Bell then introduced Mr. Crowther, who presided at the Sales Managers Clinic. This discussion, which continued after luncheon, included talks by Lewis H. Avery and Miss Helen A. Cornelius, Director and Assistant Director of Broadcast Advertising for NAB, and covered the proposed revisions of the NAB-AAAA Standard Contract for Spot Broadcasting.

Afternoon session on the second day closed with a talk on BMI by Ralph Wentworth and the adoption of the following resolutions:

Whereas the NAB Fifth District Meeting here assembled considers the matter of minimum standards for receiver set manufacture to be of utmost importance to the radio industry, therefore,

Be it resolved that this meeting recommends to the National Association of Broadcasters that necessary steps be taken toward encouraging adoption of minimum standards by the manufacturers of home receivers, and that these suggested minimum standards be compiled by a technical committee appointed within the National Association of Broadcasters.

Whereas the Alabama and Georgia broadcasters of the NAB Fifth District Meeting assembled consider certain actions on the part of station owners having access to other forms of public expression or other media to be detrimental to the best interests of radio broadcasting, and

Whereas the methods being used by these station owners to exploit a private policy or opinion, however sincere, have been used to the disadvantage of radio broadcasting as an industry, therefore,

Be it resolved that such methods are decried, and the attention of the Board of Directors of the National Association of Broadcasters be directed to the proper protection of broadcasting from individual opinions or policies.

Whereas it is the consensus of opinion of the NAB Fifth District broadcasters here assembled that there has been a long-felt need for a standard formula for measurement of radio circulation, therefore,

Be it resolved that the broadcasters of the NAB Fifth District, comprising the States of Alabama and Georgia, do hereby commend the NAB Research Committee, Mr. Hugh Feltis, Miss Linnea Nelson, and others, for their leadership in providing the industry with a proposed standard yardstick of circulation measurements for radio.

Be it resolved that this Fifth District Meeting of the NAB goes on record as recognizing the effective efforts of Lewis H. Avery, Miss Helen Cornelius and their associates in the work of the NAB Department of Broadcast Advertising.

Be it further resolved that this meeting extends its sincere thanks to the Atlanta stations for making the necessary arrangements for the District Meeting in Atlanta.

NAB NEWS BUREAU LETTER GETS RESULTS

Word comes to NAB from Radio Correspondents' Association that splendid results were achieved through the letter sent out from NAB News Bureau advising broadcasters that Radio Correspondents' Association would handle the accrediting of radio newsmen who wished to cover the San Francisco Conference.

More than one-third of the newsmen who asked for accommodations mentioned the NAB letter as their source of information. In addition, several requests came to NAB direct, and arrangements were accordingly made by the News Bureau.

Thirty-six stations and four networks have requested reservations and D. Harold McGrath, superintendent of the Senate Radio Press Gallery, headquarters for Radio Correspondents' Association, announces that the results were very pleasing.

BAILEY BILL WOULD BAN ROYALTY PAYMENT TO UNIONS

Senator Josiah W. Bailey (D) of North Carolina has introduced a bill (S. 754) which has been referred to the Senate Committee on the Judiciary, which would make it unlawful for any employer to make payment of funds to any representative of his employees or for any employees' representative to accept payment of such funds from the employer, other than as specified in the bill. The bill would specifically exempt any amount deducted from the compensation of any employee and paid to a labor organization by an employer in payment of dues or other similar fees payable by such employee to such labor organization.

The bill follows in full:

"A BILL

"To protect commerce from certain harmful and disruptive practices, and for other purposes.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) it shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are engaged in commerce or in the production of goods for commerce.

"(b) It shall be unlawful for any representative or agent of any employees who are engaged in commerce or in the production of goods for commerce to demand, receive, or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value, for the use of such representative or in trust or otherwise.

"(c) The provisions of this section shall not be applicable with respect to any money or other thing of value payable by an employer to an employee or former employee as compensation for, or by reason of, his services as an employee of such employer, and shall not be applicable with respect to any amounts deducted from the compensation of any employee and paid to a labor organization by an employer in payment of dues or other similar fees payable by such employee to such labor organization.

"Sec. 2. (a) Any person who willfully violates any of the provisions of this Act shall upon conviction thereof be subject to a fine of not more than $10,000 or to imprisonment for not more than six months, or both.

"(b) The district courts of the United States and the United States courts of the Territories and possessions shall have jurisdiction, for cause shown, and subject to the provisions of section 20 (relating to notice to opposite party) of the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U. S. C., 1940 edition, title 28, sec. 381), to restrain violations of this Act.

"Sec. 3. As used in this Act—

"(a) 'Commerce' means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

"(b) 'Goods' means goods, wares, products. commodities, merchandise, or articles or subjects of commerce of any character, or any part or ingredient thereof.

"(c) 'Produced' means produced, manufactured, mined, handled, or in any other manner worked on in any State; and for the purposes of this Act an employee shall be deemed to have been engaged in the production of goods if such employee was employed in producing, manufacturing, mining, handling, transporting, or in any other manner working on such goods, or in any process or occupation necessary to the production thereof. in any State.

"(d) 'Representative' means any individual who or organization which is authorized or purports to be authorized to deal with an employer, on behalf of two or more of his employees, concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work."

LISTENERS AND READERS LIKE NEWS OF GLOBAL SHOWS . . . . 3 MORE PROGRAMS

"Let's Go to Town" programs are being mentioned in many radio programs these days. They are being featured by many newspaper radio editors.

Letters to stations from overseas, and messages received by telephone and letter from relatives and friends of men and women, overseas, are conclusive evidence of the pleasure the programs give. When stations receive such messages they are urged to supply NAB with details.

WABC Tells Story

WABC, New York, told the story on the Margaret Arlen show, 8:45-9:00 a. m., March 6; and, on the previous Sunday, Virginia Fravesi, radio editor, the Springfield (Mass.) *Republican*, told the story in a 14-inch feature article.

Of the sixteen-page Arlen script, six were devoted to the "Let's Go to Town" programs produced and being produced by New York City stations. Miss Arlen quickly set the stage for the series in this fashion:

Arlen: "Harry, do you remember how back in November and December most of us got pretty optimistic about when the war would end in Europe?

Marble: "Sure, and the boys over there did too . . . but that was before the Battle of the Bulge.

Arlen: "Uhmmm. It was, and many a man's hopes for going home soon were thrown off schedule. Well, General 'Ike' Eisenhower sensed this disappointment in his troops . . . so he made a suggestion to the Armed Forces Radio Services which distribute recordings to battle areas all over the world. His thought was that since the men could not go home, the next best thing was to bring *home* to them . . . in the form of radio transcriptions made in a couple of hundred home-towns across the United States.

Marble: "I've heard something about that project; although I didn't know that it stemmed from General Eisenhower himself.

Arlen: "Yes, it did. And all down the line, the idea has caught on like wildfire. First the Armed Forces Radio Service turned to the National Association of Broadcasters. They in turn enlisted the cooperation of local radio stations throughout the country."

Then Miss Arlen takes her listeners to Brooklyn where that show was being recorded.

"I had a rare opportunity the other night," she said, "when a friend from one of the radio stations invited me to go over to the studio where the program on Brooklyn was being recorded."

She handled the matter of industry sponsorship like this:

Marble: "Say, who directed that show . . . uh . . . was it . . .?"

Arlen: "Shush, Harry. Don't say it. Mustn't mention any names."

Marble (surprised): "Heh? Why not?"

Arlen: "Because making this series of home town radio shows . . . it's called 'Let's Go to Town' by the way . . . is strictly a cooperative enterprise in which all effort is donated . . . done entirely without pay . . ."

And then toward the last of the script she really turned on the heat to indicate how the home town atmosphere was the dominant characteristic of the shows:

Arlen: "Yes, and I was much impressed at the real home-town atmosphere created in the show. The sound men had actually gone out to Brooklyn and recorded the actual sound of a subway, the 4th Avenue local, pulling into DeKalb Avenue, of a Flatbush trolley car clanging its bell; and a wonderful sequence of the choir boys rehearsing a hymn at St. Brigid's church. Then they even went to Coney Island and had them run a roller coaster. Ebbet's Field which the narrator described as 'Heaven with Four Bases' . . . adding 'where else in the world can you get freedom of speech as when the Dodgers play the Giants.'"

Marble: "Sounds swell."

Arlen: "Oh, it was swell! And I got a warm feeling around my heart as the whole studio waited tensely for the director's cue to give them the sign that the actual recording of the show was to begin. An actress in a sequined blouse pulled her fur coat close around her because the studio was chilly . . . the sound man watched for the cue . . . and the orchestra leader had his baton raised. The cue came, the down beat was given . . . and that crowd of actors, musicians, engineers swung into the show with all their hearts . . . to help weld from voices, sound effects and music an auditory picture of Brooklyn . . . a picture that will make many an overseas man's heart skip a bit with thoughts of the Fulton street and all the other familiar haunts back home."

The Springfield Story

The first two paragraphs of the Springfield *Republican* story read:

"Recordings of Springfield's own 'Let's Go to Town,' especially requested by Gen. Eisenhower, of radio in the United States, have gone overseas to be shortwaved to fighting men. Countless men from this area will hear the 30-minute program which will bring them local talent, hometown news and familiar voices.

"Springfield's share in this war effort combined the active participation of local radio stations that worked together under Wayne Henry Latham of WSPR, war program director in this district. Stations WMAS and WBZA contributed talent from their program personnel."

Complete 3 More Global Shows

Receipt of three more "Let's Go to Town" programs is acknowledged by Armed Forces Radio Service, Los Angeles:

DISTRICT IV

Lynchburg-Danville, Va...James H. Moore, WSLS, Roanoke, *TFC

DISTRICT IX

Chicago....................Fran Coughlan, WGN, *TFC

DISTRICT X

Omaha....................Harold Hughes, KOIL, *TFC

New Philadelphia Allocation

An additional "Let's Go to Town" allocation is announced for the Philadelphia area. The program will be produced by Edward Wallis, program director, WIP.

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* Task Force Commander.

PEABODY SELECTIONS ANNOUNCED

Peabody Award selections for 1944 were announced in New York this week. These awards perpetuate the memory of George Foster Peabody, New York Banker and Philanthropist, and are administered by the Henry W. Grady School of Journalism, University of Georgia, Athens, Ga.

Selections were as follows: *Outstanding News Commentary*—Raymond Gram Swing (Blue Network—American Broadcasting Co.); *Outstanding Reporting of News*—WLW, Cincinnati; *Outstanding Entertainment in Drama*—a double award: "Cavalcade of America" (National Broadcasting Co.), and Fred Allen (Columbia Broadcasting System), for comedy unexcelled over a period of twelve years; *Outstanding Entertainment in Music*—"Telephone Hour" (National Broadcasting Co.); *Outstanding Educational Program*—"Human Adventure" (Mutual Broadcasting System); *Outstanding Program for Youth*—"Philharmonic Young Artists Series," KFI, Los Angeles, for outstanding development of young musicians; *Special Award* to Col. Edward M. Kirby, Chief, Radio Branch, War Department, Washington, D. C., for his brilliant adaptation of radio to the requirements of the armed forces and the home front—American ingenuity on a global scale; *Public Service By a Regional Station (more than 1,000 watts)*: "Worcester and the World," WTAG, Worcester, Mass.; *Public Service By a Local Station (1,000 watts or less)*: a double award—first, to Station WNYC, New York City, and Mayor Fiorello LaGuardia; secondly, to Station WIBX, Utica, N. Y., for its program, "Cross-Roads," dedicated to the returned veterans.

In addition to these major awards, in recognition of which medals will be given at a dinner in New York Tuesday evening, April 10, 1945, special citations were voted to the following regional programs: "Song of the Columbia," KOIN, Portland, Oregon; "Syracuse On Trial," WFBL, Syracuse, N. Y.; "Southwest Forum," KVOO, Tulsa, Oklahoma; "St. Louis Speaks," KMOX, St. Louis, Mo.

SPECIAL PROGRAM MANAGER'S BULLETIN NO. 5

Special Program Manager's Bulletin No. 5 headed "Recommendation re: Local Copy on Treasury Salutes" accompanies this issue of NAB Reports.

NAB PROGRAM CHAIRMEN APPOINTED WAR LOAN FIELD COMMITTEE

NAB's 17 District Program Chairmen were appointed a special radio field committee for the Seventh War Loan by Ted R. Gamble, national director, War Finance Division, Treasury Dept., at a Friday luncheon held during the Program Managers Committee meeting, Hotel Statler, March 14-15-16.

Following is a list of the District Program Chairmen:

District Program Managers

District 1—Wayne Henry Latham, WSPR, Springfield, Mass.
2—Elliott Stewart, WIBX, Utica.
3—J. C. Tully, WJAC, Johnstown.
4—Irvin G. Abeloff, WRVA, Richmond.
5—Robert L. Fidlar, WIOD, Miami.
6—Robert Atherton, WMC, Memphis.
7—Howard Chamberlain, WLW, Cincinnati.
8—Carl Vandagrift, WOWO, Ft. Wayne.
9—Maurice P. Owens, WROK, Rockford.
10—Harold Fair, WHO, Des Moines.
11—Richard Day, WDGY, Minneapolis.
12—Bill Bryan, KOMA, Oklahoma City.
13—Ed Lally, WBAP, Fort Worth.
14—Ralph W. Hardy, KSL, Salt Lake City.
15—Robert H. Wesson, KGO, San Francisco.
16—W. L. Gleeson, KPRO, Riverside.
17—Homer Welch, KGW, Portland, Ore.

TREASURY DEPARTMENT, OFFICE OF WAR INFORMATION, PRAISE PROGRAM MANAGERS

Eugene Carr, Chief, Radio Section, War Finance Division, Treasury Department, and George P. Ludlam, Chief, Domestic Radio Bureau, Office of War Information, have expressed special appreciation of the assistance rendered by the NAB Program Managers Committee during its war activities meeting in Washington, D. C., March 14-15-16.

The Committee, consisting of the Executive Committee of ten and seventeen District Program Chairmen, met with Ludlam and OWI officials on the afternoon of March 14. The entire day and evening of March 15 were devoted to the Treasury Department and discussions of the Seventh War Loan.

In letters to Willard Egolf, NAB Director of Public Relations, who arranged the Washington meeting, Carr and Ludlam voice extraordinarily fine reactions, as follows:

> "I want you to know that the War Finance Division of the Treasury Department is extremely grateful for the opportunity which you afforded us last Thursday, March 15, when we sat for the day in meetings with the Program Directors' Committee of the NAB and discussed plans for the 7th War Loan Drive.
>
> "This one day with representative Program Directors from throughout the country served both to guide us in our thinking and stimulate us in our efforts beyond anything which I have experienced since my connection with War Bond promotion. In this feeling I am joined by each and every member of the staff of the Radio Section of the War Finance Division.
>
> "I am convinced that no group throughout the country is more wholeheartedly willing than the broadcasters to cooperate in the tremendous task which faces us in the 7th War Loan. It remains for us in the Radio Section to give the brand of service which this wholehearted cooperation so richly deserves. This is our ambition, and once we achieve this ambition, there cannot be the slightest doubt that the Radio Industry will come through one-hundred percent. Past experience in all phases of public service bears out this contention."
>
> Eugene Carr,
> *Chief*, Radio Section.

"The Radio Bureau of the Office of War Information is deeply indebted to the National Association of Broadcasters for the recent valuable meeting with the Program Managers Committee. In addition to this somewhat formal expression of appreciation, I want to thank you personally for your courtesy in making such a get-together possible. As representative of program operations in every NAB District, it was extremely helpful for the Government to have the give-and-take of the broadcasters' point of view regarding war effort broadcasting by individual stations.

"Station program managers perform an extremely important war job. Were it not for the continuous cooperation of their departments in American radio stations, it would be difficult if not impossible for the Government to keep the home front fully informed. They interpret the national need to the community, and without such local translation complete national support would fall short of meeting the demanding necessities of modern warfare.

"It was stimulating to find them so well informed and so sincerely interested in the various campaigns and programs that make up the whole war job on the information front. We appreciated the kind words they said about the value of OWI to the broadcasters as the channelling agency for all Government departments and services, but we were even more appreciative of the opportunity to exchange ideas with the men who are responsible for delivery of the 'end product' in station operations.

"Again, thanks to NAB and to you personally for bringing it about."

George P. Ludlam,
Chief, Domestic Radio Bureau.

NAB CODE COMMITTEE MEETS

The Code Committee of the National Association of Broadcasters met in New York City on Wednesday and Thursday of this week, March 21-22. The meeting was an executive session to give further study to what, if any, suggested revision may be necessary in the industry's standards of practice.

The conclusions of the Committee will be submitted to the NAB Board at its next meeting.

RADIO
1920 - 1945
XXV

OHIO STATE RADIO STATION OBSERVES 25TH BIRTHDAY

Columbus, O., March 23.—Ohio State University's broadcasting station, WOSU, celebrates its silver anniversary today, and most of this week will be devoted to special programs appropriate to the occasion.

It was on March 23, 1920, that the university received its first experimental license authorizing it to operate for one year on either 200 or 375 meters with a power of 1.8 kilowatts and the call letters of 8 XI. The first broadcast was on April 20.

Today WOSU is on the air an average of 72 hours a week, with a wide variety of broadcasts—music, drama, news, farm information, lectures from university classrooms, a regular Sunday afternoon forum.

Two major activities of the university station are the "Ohio School of the Air," broadcasting programs for classroom use in the schools of the state, and the "Radio College," broadcasting courses in languages, social sciences, music appreciation, and other subjects for adults.

Ohio State's electrical engineering department began to experiment in wireless telegraphy around the turn of the century. By 1913 the university had a good station which, during the flood of that year, was one of the few ways Columbus had of keeping in touch with the outside world.

The Ohio State broadcast of April 20, 1920, was the first to be made from central Ohio, and it was heard over a radius of 120 miles—exceeding all expectations.

Dr. William Oxley Thompson, president of the university, was the speaker. He said in part:

"We are starting tonight the first of a series of programs of entertainment and instruction for the citizens of central Ohio. . . . These programs will be of the highest type, including music, science, and other subjects of popular interest. . . .

"Happily, Columbus' first radio program is being broadcast from Ohio State University. Educational institutions always have shown a strong interest in applied modern science. . . .

"I congratulate you on the prospects before you as the result of this marvelous development."

The program that night also included news—results of all games played that day in the National and American Leagues and the American Association, and the report of a $10,000 fire in Columbus.

In June, 1922, the station received its permanent license and the call letters WEAO. The designation was changed to WOSU in September, 1933.

ELEVEN STATIONS, COAST-TO-COAST, SALUTE KFRO ON TENTH ANNIVERSARY

Station KFRO, Longview, Texas, recently completed ten years of service to its listeners.

An elaborate program was worked out to commemorate the event by James R. Curtis, President. Letters were sent to broadcasters the country over inviting them to join KFRO in observing this tenth birthday; information was enclosed on KFRO, Longview, and East Texas. Stations were asked to make a program "advertising your station and territory, salute KFRO on the transcribed program, and send it on to KFRO and we will be glad to give you this complimentary program as a part of our Tenth Anniversary. Programs may be as long as 30 minutes in duration."

Stations which responded with transcribed salutes were:

KMOX, St. Louis	30 min.
WAIT, Chicago	30 min.
WWL, New Orleans	15 min.
KELA, Centralia, Ore.	15 min.
WSPR, Springfield, Mass.	3 min.
WCAR, Pontiac	3 min.
WEBC, Duluth-Superior	15 min.
KGW, Portland, Ore.	5 min.
KTSA, San Antonio	15 min.
WIBW, Topeka	15 min.
WBAP, Ft. Worth	15 min.

KFRO went on the air in 1935 as a 100 watt daytime station. In 1940 it became a full time 1000 station with a new transmitter located on a ten acre plot just east of Longview. James R. Curtis was the original founder of the station and remains as its president.

RADIO BACKED FOUNDATION EXPANDS

With broadcasting the backbone of the fund raising activities of the National Foundation for Infantile Paralysis, broadcasters will be glad to know that $1,267,600 has just been appropriated by the Foundation for the training of qualified physical therapists.

In announcing the appropriation President Basil O'Connor explained that present day medical treatment of patients with infantile paralysis demands more and more physical therapy. "A physical therapist," said Mr. O'Connor, "is a technician who uses physical agents such as heat, electricity, light, exercise, rest, muscle training and similar methods in contrast to the use of drugs, biological and surgical technics."

Dr. Irvin Abell, Louisville, Kentucky, chairman of the Board of Regents of the American College of Surgeons, is chairman of a special committee to assist in the development of the new program.

WLS ACCOUNTS FOR CHRISTMAS FUNDS

Christmas Neighbors Club, sponsored by Prairie Farmer and radio station WLS, Chicago, has disbursed $85,318.89, donated by listeners and readers, since its founding in 1935. A 48-page illustrated financial report of the club has just been distributed to 13,000 persons. In 1944, according to the report, $26,880.56 was contributed against $3,377.04 in 1935.

The 1944 funds have already provided 140 inhalators, 118 wheel chairs, 111 infant incubators and 68 orthopedic walkers for 238 hospitals and child care institutions. Two hundred or more additional gifts will be purchased and distributed during the next few weeks.

NEW WBTM CHURCH POLICY SUCCEEDS

Since January 1, 1945, radio station WBTM, Danville, Virginia, has been operating on a policy of not selling time to religious groups. According to R. Sanford Guyer, manager, the policy continues to meet with originally anticipated success.

Change in policy was made known locally on December 16, 1944, when the cooperation of the Ministerial Association of Danville was secured. The 11-12 o'clock church hour on Sunday is given to all of the churches without charge. The station cooperates further with the Ministerial Association by scheduling a daily morning devotional period of 15 minutes. Additional time is provided the Association when it is deemed "necessary in furthering its work in Danville and vicinity."

WFA COMPLIMENTS WOMEN BROADCASTERS

Radio Round-Up, a publication issued by the War Food Administration, pays warm tribute to women broadcasters in its February 22 issue, reporting a special transcription which was prepared by the WFA and played by representatives of that government agency for listeners at the AWD-NAB "Women of the United Nations" meeting at the Hotel Roosevelt, New York City, February 17. (See NAB REPORTS, Volume XIII, page 66.)

The text of the transcription as taken from *Radio Round-Up:*

"Since the war began, every woman broadcaster has been saddled with extra responsibility . . . selling war bonds . . . recruiting women for the services and carrying other government messages into the homes of America. The War Food Administration takes this opportunity to pay tribute to the women directors for the outstanding job they have done in helping homemakers understand the swiftly changing food picture. As a group, women broadcasters have diverted attention from shortages and have helped to merchandise the plentiful foods. They have done a great deal to teach women nutrition, food conservation, food preservation, and better buying habits. These women, sitting before their microphones day after day, week after week, are a real power, in guiding homemakers through the adjustments of wartime living.

"It's easy to visualize this power when you realize the Association of Women Directors of NAB numbers its membership around 700. This pioneer organization of women was created less than six months after we entered the war. There was a real need for cooperation to promote projects affecting women listeners . . . a real need for a clearing house for ideas and techniques. And so AWD was born . . . in May 1942.

"It was no accident that the first issue of the War Food Administration's *Radio Round-Up* hit the desks of the women commentators a month later . . . in June 1942. As a matter of fact, many of the women broadcasters who helped get AWD under way were the first to ask for current factual information on the ever changing food situation. As the result of these requests WFA launched *Radio Round-Up on Food*, the weekly service sheet for women directors.

"To give you some idea how the hundreds of women broadcasters all over the country use this important information in their various shows, we are bringing you the voices of seven members of AWD . . . [the following broadcasters previously had made transcriptions of War Food messages used on their shows, and at this point their voices were dubbed in on the recorder: Ruth Chilton, WCAU, Philadelphia; Ann Holden, KGO, San Francisco; Mildred Bailey, WTAG, Worcester, Mass.; Darragh Aldrich, WCCO, Minneapolis; Ruth Crane, WMAL, Washington, D. C.; and Elizabeth Hart, WMAQ, Chicago. The platter then continues:]

"Without the help of friendly voices such as you've just heard, it would be impossible to reach every homemaker. The women broadcasters of this country are making and will continue to make a great contribution to the war effort . . . and to better living in the years to come. The War Food Administration says, most sincerely . . . thank you."

WKOK HOSPITAL BROADCASTS WELL RECEIVED

B. A. Beck, general manager of WKOK, Sunbury, Pa., informs NAB that he has had many favorable comments on a recent series of six broadcasts outlining the four-fold responsibility of the typical American hospital to the community it serves.

The series was put on the air through the cooperation of the Sunbury Community Hospital and the Sunbury Chamber of Commerce.

NATIONAL BOYS AND GIRLS WEEK APRIL 28-MAY 5

National Boys and Girls Week, a 25-year-old institution will be observed throughout the nation April 28 to May 5.

A manual giving complete information concerning Boys and Girls Week celebrations, and extensive suggestions for daily programs, may be secured without charge by writing the National Boys and Girls Week Committee, Room 950, 35 E. Wacker Drive, Chicago 1, Illinois.

Suggestions may be adapted as required to suit the needs of individual celebrations and communities.

Stated objectives of programs are:

1. To focus public attention upon boys and girls, their potentialities, and their problems, to the end that increasing numbers of adults may be awakened to the joys and opportunities of youth service and inspired to participate. 2. To give impetus to year-round programs of character building activities for the general welfare of boys and girls; and to acquaint the public with the agencies which are serving this purpose. 3. To emphasize the importance of a sound body, a trained mind, and spiritual growth in the complete development of the boy and girl; and to emphasize the important functions of the home, the church, and the school in such developments. 4. To emphasize the need for instilling in boys and girls the love of country and respect for its laws and established institutions and of bringing to each the realization of his duties and responsibilities as a citizen.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, March 26.

Federal Communications Commission Action

APPLICATIONS GRANTED

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Granted modification of license to change corporate name to Atlantic Broadcasting Company, Inc. (B1-ML-1210)

WJNO—WJNO, Inc., West Palm Beach, Fla.—Granted authority to determine operating power by direct measurement of antenna power.

KETJ—National Broadcasting Co., Inc., San Francisco, Calif.—Granted license to cover construction permit for new relay broadcast station; frequencies **1606, 2074, 2102** and **2758 kc.**, 100 watts. To be used with KPO.

W8XGZ—Guz Zaharis, South Charleston, W. Va.—Granted modification of construction permit authorizing new experimental televisions broadcast station, for extension of completion date from 4-1-45 to 10-1-45.

W2XMT—Metropolitan Television, Inc., New York City—Granted modification of construction permit which authorized new experimental television broadcast station, for extension of completion date only, from 5-31-45 to 6-30-45. The CP is granted upon an experimental basis only, and upon the express condition that it is subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises. Nothing contained herein is to be construed as a finding by the Commission that the operation of this station upon the frequencies authorized is or will be in the public interest beyond the express terms hereof. (B1-MPVB-117)

KGHI—A. L. Chilton & Leonore H. Chilton, a partnership, d/b as KGHI Broadcasting Service (Assignor), A. L. Chilton, Leonore H. Chilton and S. C. Vinsonhaler, a partnership, d/b as KGHI Broadcasting Service (Assignee), Little Rock, Ark.—Granted consent to voluntary assignment of license of station KGHI, from A. L. Chilton and Leonore H. Chilton, a partnership, d/b as KGHI Broadcasting Service, to A. L. Chilton, Leonore H. Chilton and S. C. Vinsonhaler, a partnership, d/b as KGHI Broadcasting Service, for a consideration of $12,000 for a 10 per cent interest in assignee partnership acquired by Vinsonhaler. (B3-AL-473)

Potomac Broadcasting Corp., Alexandria, Va.—Granted request for 30-day extension of time within which to comply with the procedural conditions attached to conditional grant for a new station.

DESIGNATED FOR HEARING

WHEB—WHEB, Inc., Portsmouth, N. H.—Designated for hearing application for construction permit to change frequency from **750** to **1430 kc.**, and power from 1 KW to 250 watts night, 1 KW day, and time of operation from L-WSB to unlimited. (B1-P-3853)

LICENSE RENEWALS

KOIN—KOIN, Inc., Portland, Ore.—Granted license to cover construction permit which authorized changes in transmitting equipment. (B5-L-1868)

WBLR—Columbus Broadcasting Co., Inc., area of Columbus, Ga.—Granted renewal of relay broadcast station.

WHPT—Radio Station WMFR, Inc., area of High Point, N. C.—Granted renewal of relay broadcast station.

W4XGG—Gordon Gray, Winston-Salem, N. C.—Granted renewal of ST broadcast station license for the period ending April 1, 1946.

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky and Bailey, Georgetown, D. C.—Granted renewal of temporary Class 2 experimental high frequency broadcast station license for the period ending April 1, 1946.

MISCELLANEOUS

KXA—American Radio Telephone Co., Seattle, Wash.—Denied special service authorization to operate unlimited time for the period ending 11/1/46.

WMPS—Memphis Broadcasting Co., Memphis, Tenn.—Granted renewal of license (Commissioner Durr not participating), subject to the condition that transfer of control authorized December 27, 1944, be completed within the terms of the consent as recently extended to March 27, 1945.

WMC—Memphis Publishing Co., Memphis, Tenn.—Granted petition for continuance of hearing on renewal application of of WMC, now scheduled for March 21 for a period of 30 days.

The following applications for new commercial television stations were placed in the pending files in accordance with Commission's policy adopted February 23, 1943:

Raytheon Mfg. Co., Chicago, Ill.; Philadelphia Daily News, Inc., Philadelphia, Pa.; Iowa State College of Agriculture & Mechanic Arts, Ames, Iowa; The Crosley Corp., Dayton, Ohio.

The Commission (by Case, Commissioner) on March 17 took the following action:

WGBF—Evansville On the Air, Evansville, Ind.—On the Commission's own motion, postponed the hearing on application for renewal of license, now scheduled for March 19, to April 10, 1945.

KDNT—Harwell V. Shepard, Denton, Texas, and WACO—Frontier Broadcasting Co., Inc., Waco, Texas.—Denied petitions for immediate consideration under Supplemental Statement of Policy of January 16, 1945, of their respective applications for new stations without prejudice to later determination on their merits, and directed that the cases be retained in the pending files.

WFTC—Jonas Weiland, Kinston, N. C.—Denied special service authorization to operate on **590 kc.** with power of 250 watts day, 100 watts night, for the period ending April 1, 1945. (B3-SSA-121)

WKIX—Inter-City Advertising Co., Columbia, S. C.—Adopted memorandum opinion granting modification of construction permit (pursuant to Commission's action of October 9, 1944, authorizing a new station to operate on **1490 kc.** with 250 watts power, unlimited time), to specify new transmitter, approval of antenna and approval of transmitter and studio location; further ordered that a construction permit as thus modified be issued. (B3-MP-1793)

Loys Marsden Hawley, Conway, S. C.—Adopted memorandum opinion ordering issuance of construction permit pursuant to Commission's action of January 16, 1945, authorizing a conditional grant of application for a new station to operate on **1490 kc.**, 250 watts, unlimited time.

APPLICATIONS FILED AT FCC

660 Kilocycles

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska—Extension of special service authorization to operate on **660 kc.**, with power of 10 KW, unlimited hours of operation.

890 Kilocycles

WHNC—Henderson Radio Corp., Henderson, N. C.—Modification of construction permit (B3-P-3641, which authorized a new standard broadcast station) for change in location of transmitter and studio. Amended to make changes in antenna.

1010 Kilocycles

WINS—Hearst Radio, Inc., New York, N. Y.—Voluntary assignment of license and construction permit to The Crosley Corporation.

1340 Kilocycles

WCLS—WCLS, Incorporated, Joliet, Ill.—Transfer of control of licensee corporation from Walter Ashe to Willard H. Erwin, Jr., Arthur C. Litton, Clint Litton, Calvin F. Wilson, Gerald G. Smith, Norman S. Fitzhugh, Jr., and Robert L. Bowles (51 shares common—51%).

1400 Kilocycles

KNAK—Granite District Radio Broadcasting Co., Salt Lake City, Utah.—License to cover construction permit (B5-P-2750) as modified which authorized a new standard broadcast station.

KNAK—Granite District Radio Broadcasting Co., Salt Lake City, Utah.—Authority to determine operating power by direct measurement of antenna power.

1490 Kilocycles

WKBV—Central Broadcasting Corp., Richmond, Ind.—License to cover construction permit (B4-P-3598), which authorized increase in power, changes in transmitting equipment, and move of transmitter and studio.

WKBV—Central Broadcasting Corp., Richmond, Ind.—Authority to determine operating power by direct measurement of antenna power.

WTMC—Ocala Broadcasting Co., Inc., Ocala, Fla.—Authority to install new automatic frequency control unit.

FM APPLICATIONS

NEW—Henderson Broadcasting Co., Inc., Henderson, Ky.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49900 kc.,** with coverage of 7,660 square miles.

NEW—Scripps-Howard Radio, Inc., Pittsburgh, Pa.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46900 kc.,** with coverage of 8,400 square miles.

NEW—Hopkinsville Broadcasting Co., Inc., Hopkinsville, Ky.—Construction permit for a new high frequency (FM) broadcast station to be operated on **44900 kc.,** with coverage of 2,841 square miles.

NEW—Glenn D. Roberts, Melva F. Roberts, Wellwood Nesbit, Robert M. LaFollette, Jr., Evalyn H. Dolph, Hope D. Pettey, Rachel Young LaFollette, Genevieve S. Nesbit, John Ernest Roe, W. Wade Boardman, co-partners, d/b as Milwaukee Broadcasting Co., Milwaukee, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48900 kc.,** with coverage of 1,279 square miles. AMENDED: to include names of Genevieve S. Nesbit, John Ernest Roe, and W. Wade Boardman in partnership.

NEW—Fisher's Blend Station, Inc., Seattle, Wash.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43900 kc.,** with coverage of 15,326 square miles.

NEW—James A. Hardman, North Adams, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49500 kc.,** with coverage of 7,752 square miles.

NEW—Mid-Coastal Broadcasting Co., Washington, D. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45900 kc.,** with coverage of 10,800 square miles.

NEW—Liberty Broadcasting Corp., Atlanta, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43360 kc.,** with coverage of 20,167 square miles.

NEW—Fred R. Hover, d/b as Findlay Radio Co., Findlay, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **44100 kc.,** with coverage of 6,800 square miles.

NEW—The Crosley Corp., Washington, D. C. Construction permit for a new high frequency (FM) broadcast station to be operated on **45500 kc.,** with coverage of 10,800 square miles.

NEW—Mobile Daily Newspapers, Inc., Mobile, Ala.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47100 kc.,** with coverage of 10,008 square miles.

NEW—WKBH, Incorporated, LaCrosse, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on **44100 kc.,** with coverage of 15,864 square miles.

TELEVISION APPLICATION

NEW—Scripps-Howard Radio, Inc., Pittsburgh, Pa.—Construction permit for a new commercial television broadcast station to be operated on Channel #3 **(66000-76000 kc.),** with ESR of 1230.

MISCELLANEOUS APPLICATIONS

NEW—Joseph F. Novy, Riverside, Ill.—Construction permit for a new developmental broadcast station to be operated on **44500-47100 kc.,** power of 1 KW, and A4 and special emission.

WSCC—Savannah Broadcasting Co., area of Savannah, Ga.—License to cover construction permit (B3-PRE-443) for a new relay broadcast station.

KNBX—National Broadcasting Co., Inc., near Dixon, Calif.—Construction permit to change transmitter, and increase power from 50 KW to 200 KW.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

William R. Hill & Co.—Violation of the brokerage section of the Robinson-Patman Act is alleged in a complaint against William R. Hill, trading as William R. Hill & Co., 114 Virginia St., Richmond, Va., engaged in business as both a broker and a direct buyer of food products, including canned fish, canned fruits and vegetables, and other commodities. Hill also is vice president of and a large stockholder in Chas. E. Brauer Co., Inc., a wholesale grocery and confectionery firm in Richmond. (5295)

Pompeian Olive Oil Corporation, 4201 Pulaski Highway, Baltimore, is charged in a complaint with misrepresenting its Pompeian Brand olive oil as being an imported product. (5294)

STIPULATIONS

During the past week the Commission announced no stipulations.

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

H. Boker & Co., Inc., a New York corporation, and H. Boker & Co., Inc., a New Jersey corporation, engaged in the manufacture, sale and distribution of knives and with offices at 101 Duane St., New York, have been ordered to cease and desist from marking, designating or describing their knives as "Scout," "Boy Scout" or "Junior Scout." The Commission found that the knives designated by such terms are not manufactured or distributed under the supervision of the Boy Scouts of America, are not approved, endorsed or sponsored by that organization and are not a part of its standard equipment. (4121)

William H. Howe, 122 Jewett St., Lowell, Mass., has been ordered to cease and desist from disseminating advertisements which represent that the preparation he sells under the name of Lady Ashton Foot Ease will remove calluses, or assist in their removal in excess of temporarily softening the outer layers. (5089)

National Retail Tea & Coffee Merchants Association, Inc., Merchandise Mart Building, Chicago, and its officers, directors and members have been ordered to cease and desist from conspiring to restrain trade and prevent and lessen competition in connection with the sale of tea, coffee, household specialties, toilet preparations and other items of merchandise commonly handled by home service merchants. (4776)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 13, March 30, 1945

DENNY CONFIRMED

Charles R. Denny, for the past three years General Counsel of the Federal Communications Commission, was confirmed on Monday (26) as a member of the FCC. He fills the vacancy created by the retirement of T. A. M. Craven, whose term expired in June of 1944. Mr. Denny's term will extend to June 30, 1951.

Mr. Denny is well and favorably known throughout the broadcasting industry as a result of the very active part which he has taken in connection with the legal affairs of the Commission. He is a native of Baltimore, Maryland, and a graduate of Amherst College in 1933 and Harvard Law School in 1936. He practiced law in Washington for a period of two years following his graduation, then joined the Lands Division of the Department of Justice where he served for four years, going through the various stages from an attorney in the Appellate Section to assistant chief and later chief of the division.

Early in 1942 he was appointed assistant general counsel of the FCC in charge of Administration and Litigation. He succeeded to the general counselship on the resignation of Telford Taylor who entered the military service.

7TH DISTRICT MEETS

District Director Nathan Lord of WAVE presided at the two-day meeting of the NAB 7th District, held in Cincinnati on Monday and Tuesday, March 26 and 27. Following the appointment of a resolutions committee, headed by John Patt of WGAR, Director Lord introduced J. Harold Ryan, who reported at length on the activities and plans of the various NAB department directors and standing committees.

The afternoon session was devoted to the presentation of the Broadcast Measurement Bureau plan by Hugh Feltis, BMB President. (The complete details of this presentation will be reported in an early issue of the BMB Bulletin.)

The broadcasters present were the guests of the Cincinnati radio stations at a reception following the afternoon meeting on the opening day.

The second day's session opened with the Small Market Stations Panel at which Robert T. Mason of WMRN, Chairman of the NAB Small Market Stations Committee, presided. His presentation included the transcribed report of the opportunities and problems of small market stations, as well as a discussion of the opportunities for group selling on the part of small market stations.

The balance of the morning was devoted to the Sales Managers Clinic, during which Lewis H. Avery and Helen A. Cornelius spoke. Both were asked many questions about the clinical test of broadcast advertising now being conducted in San Antonio in co-operation with Joske's of Texas.

During the Sales Managers Clinic, E. Y. Flanigan of WSPD, one of the founders of the Sales Managers Division of NAB, served as chairman.

Following luncheon on the second day, the Ohio Association of Broadcasters held a brief business meeting with Robert T. Mason, president, as chairman. During the meeting, Carl Everson of WHKC reported on the various proposals before the Ohio legislature that would affect broadcasting. There was also an extended discussion of the complex time situation in Ohio.

The afternoon session concluded with talks on programming by Howard Chamberlain of WLW, District Chairman of the Program Directors Committee and Mr. Ryan, who substituted for John Patt of WGAR in the discussion of public relations.

OCCUPATIONAL DEFERMENT CERTIFICATION

As reported in the NAB Selective Service Supplement No. 28 the War Production Board has been designated by the War Manpower Commission as the certifying agency for the entire communications industry including domestic broadcasting. Under the procedure having to do with requests for occupational deferment for men in the age group below 30 years, the employer must file a 42-A (Special-Revised) with the local WPB District Manager (see complete list in NAB Selective Service Supplement No. 28).

Only a relatively small number of occupational deferments can be made at the local level. Where the local WPB Manager fails or declines to certify the application, the broadcaster should ask that it immediately be transmitted to WPB, Washington, for review. Washington WPB officials have requested that the most complete information be furnished with respect to all requests for certification made by the employer.

The nature of the occupation of all registrants for whom certification is asked, their ages, length of service with the company, etc., should be given. In addition to the foregoing, information must be furnished with respect to all men employed in similar occupations and performing similar work. Here again ages, draft status, length of service, etc., should be revealed. By following strictly these procedures broadcasters may be able to secure a limited number of certifications in the lower age brackets. In order to determine the matter of certification WPB should have in its possession all of the information that is usually supplied to the draft board.

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

5TH DISTRICT FLORIDA SECTION MEETS

The Florida section of the NAB 5th District held a two-day meeting in Jacksonville on Thursday and Friday, March 22 and 23. Director-at-Large Frank King of WMBR presided at all of the sessions. Twenty-six of the 29 radio stations in Florida were represented at the meeting.

Following the appointment of a resolutions committee, composed of James M. LeGate of WIOD, Chairman; S. P. Willis of WJNO, and William McBride of WDBO, Director King introduced J. Harold Ryan, NAB President. Mr. Ryan reviewed NAB activities since he assumed the presidency on April 17, outlined projected plans for the association and summarized the labor problems faced by broadcasters.

The opening session closed with an inspired appeal by Ralph Wentworth for greater use of BMI music. His report resulted in the introduction of a resolution at the closing session of the meeting. (The full text of the resolution is appended to this report.)

After luncheon, Hugh M. Feltis, BMB President, presented the full story of the Broadcast Measurement Bureau. (The results of this appeal for subscriptions are reported in BMB Bulletin No. 12.)

The alternate District Chairman for the Sales Managers Committee, Glen Marshall of WMBR, presided at the morning session on the second day, which opened with the Small Market Stations Panel and concluded with the Sales Managers Clinic. These subjects were presented by Lewis H. Avery, Director of Broadcast Advertising, and Helen A. Cornelius, Assistant Director of Broadcast Advertising. At the conclusion of the formal presentation, the broadcasters present discussed the clinical test of broadcast advertising by Joske's of Texas in San Antonio at some length.

At luncheon on the second day, W. Walter Tison of WFLA, District Chairman of the Public Relations Committee, presented the report for that group. He was followed by Robert Fidlar of WIOD, District Chairman of the Program Directors Committee. The following resolutions were proposed by James M. LeGate, Chairman of the Resolutions Committee, and adopted unanimously:

WHEREAS, the Florida broadcasters of the Fifth District of the National Association of Broadcasters, in their annual meeting held in Jacksonville, Florida, March 22 and 23, 1945, did enter into a discussion with relation to the proposed standardized method of measurement survey to be conducted by the Broadcast Measurement Bureau, and

WHEREAS, it was determined that the best interests of the broadcasting industry as a whole as well as the advertising agencies and advertisers would best be served if all stations in the United States be shown in the survey regardless of the fact that some of the stations would not be subscribing members to the survey; and further determined that all such stations not participating as subscribing members, but appearing in the publications of the Broadcast Measurement Bureau, be designated by some appropriate symbol, such as "non-members" or "non-subscribers," and it being the sense of this meeting that the directors of BMB be notified to this effect, therefore

BE IT RESOLVED:

1. That the proposed survey and the publications be issued subsequent thereto, include data and names of all radio stations in the United States.
2. That "non-member" stations be designated as such by some appropriate symbol.

BE IT FURTHER RESOLVED:

Since radio station coverage maps published in the past have attempted to indicate only lateral coverage, and since more recent research conducted by representatives of the various segments of the broadcast advertising industry have caused these past attempts to be adjudged inadequate, that definitive terms formerly used in preparation of these maps, namely, primary, secondary and tertiary, be dropped from usage by the Broadcast Measurement Bureau, and

BE IT FURTHER RESOLVED, that the use of varied colors formerly used to denote degrees of coverage intensity, be discontinued, and

BE IT FURTHER RESOLVED, that all counties shown to possess ten per cent or greater once-per-week listenership be termed "Effective Area," for each station concerned and that all counties included within this area be denoted by one color, and of identical shade.

WHEREAS, the Florida broadcasters of the Fifth District of the National Association of Broadcasters, in their annual meeting held in Jacksonville, Florida, March 22 and 23, 1945, did enter into a discussion of Broadcast Music, Inc., and

WHEREAS it was brought out that the Florida stations were not giving adequate support to BMI by broadcasting its controlled music, and after open discussion, it was resolved that the Florida broadcasters be urged to use and broadcast BMI music as outlined by BMI and to give such music preferential treatment at all times.

BE IT FURTHER RESOLVED that the Florida broadcasters favor an aggressive administration and operation of BMI and that BMI use all funds available to BMI in furtherance of the development and expansion of BMI rather than the rebating of earnings or the reduction of rates to its members.

WHEREAS the Florida broadcasters of the Fifth District of the National Association of Broadcasters, in their annual meeting held in Jacksonville, Florida, March 22 and 23, 1945, wish to recognize the services rendered the broadcasting industry by J. Harold Ryan, Hugh Feltis, Lewis H. Avery and Helen A. Cornelius, now, therefore,

BE IT RESOLVED, that the entire body express its sincere appreciation for the untiring efforts of J. Harold Ryan on behalf of the broadcast industry during his term of office as President of the National Association of Broadcasters, and

BE IT FURTHER RESOLVED that this meeting express its appreciation to Hugh Feltis, President of the Broadcast Measurement Bureau, for his sincere and untiring efforts to establish a standardized measurement for the broadcasting industry, and

BE IT FURTHER RESOLVED that this meeting express its appreciation to Lewis H. Avery, Director of Broadcast Advertising, and Helen A. Cornelius, Assistant Director of Broadcast Advertising, of the National Association of Broadcasters, for their contributions to the field of broadcast advertising sales.

BROADCASTERS SHOW 8% INCREASE IN WAR MESSAGES

(As Released by NAB News Bureau)

$161,752,000.00 was the value of time on the air and performers' services provided by United States radio stations, networks and radio advertisers for delivering war messages to the public in 1944, the National Association of Broadcasters announced today. This represents an increase of 8% over the volume of 1943 messages, according to War Advertising Council evaluation procedures.

Radio advertisers contributed $64,000,000.00 of this amount. Stations and networks provided $78,000,000.00 while performers' services for all three are estimated at $20,000,000.00.

The Treasury Department was the largest recipient of radio support, with a figure of $43,352,000.00, largely for the sale of War Bonds. War Food Administration and the Department of Agriculture came second, with $15,567,000.00 in free service. The War Department, Navy Department, War Production Board, War Manpower Commission, Office of Price Administration, Office of Defense Transportation and others were recipients of free broadcast service ranging from $1,000,000.00 to $12,000,000.00 each.

Valuations were evolved in accordance with the formula adopted by the Media Committee of the War Advertising Council. Estimates were produced at gross rates. Announcements carried within the framework of programs were assigned a value in proportion to the percentage relationship of war message length to the NAB Code stipulation on the length of commercial copy.

The tabulation was made from records maintained by stations and networks for the second half of the year together with an estimate for the first half of the year based on the adopted procedure.

Following is a list of Government Departments and the value of free services received by each, including the American Red Cross and the National War Fund:

Treasury Department	$ 43,352
WFA and Agriculture	15,567
War Department	12,136
Navy Department	10,030
War Production Board	9,464
Red Cross	8,215
War Manpower Commission	7,741
Federal Security	6,454
Office of Price Administration	6,312
National War Fund	6,102
Office of Defense Transportation	5,099
War Shipping Administration	4,958
Economic Stabilization	4,797
Petroleum Administration for War	1,217
Miscellaneous	20,308
	$161,752

KIBLER JOINS NAB STAFF

Milton J. Kibler has been appointed as attorney on the NAB staff to assist John Morgan Davis, NAB counsel and Director of Labor Relations, in legal matters having to do with employer-employee relationships.

Major Kibler was engaged in the active practice of law in the District of Columbia until 1941 when he became a civilian legal advisor to the Office of the Chief Engineer of the War Department. He remained in that capacity until 1942 when he was commissioned a first lieutenant, A.U.S., and assigned as legal advisor and policy director to the Director of the Procurement Office of the Surgeon General, War Department.

In November 1944 he was honorably discharged with the rank of major because of injuries incident to his service.

EQUIPMENT FOR NEW STANDARD BROADCAST STATIONS

The WPB through its Radio and Radar Division has issued a statement setting forth the new criteria to be employed in determining the allotment of equipment on construction applications for new standard broadcast stations.

Only those applications for locations which do not now receive primary service, as defined by the FCC, from existing broadcasting stations will be considered. If, however, FCC determines that an applicant has demonstrated that service will not only serve the public interest, necessity and convenience, but that the applicant intends to provide and will serve a public need of a very unusual nature not generally served by radio broadcasting stations, then an exception will be made. Also the applicant must show to the satisfaction of the Radio and Radar Division that he either has obtained or can obtain the necessary radio equipment without placing any load on production facilities.

New stations will not be permitted to deplete any minimum normal reserves originally obtained for maintenance and repair operation.

It is further announced that an exception to these criteria will also be made upon the recommendation of the Army and Navy, supported by the Secretary of War or the Secretary of the Navy. The recommendation of any military authority stationed in the area or having an interest in the area will not be sufficient.

The Construction Bureau of WPB has been requested to use these criteria on passing of applications now pending or hereafter received.

WPB READJUSTS TUBE PRODUCTION

According to an announcement from the War Production Board an adjustment of radio receiving tube production schedules has been recently effected. The new schedules are based upon the recommendations of the Receiving Tube Scheduling Industry Advisory Committee and are designed to meet military demands in the next six months. The demands of the military still exceed production by a small margin, according to WPB radio and radar officials.

The 7 tube manufacturers, all of whom are represented on the committee, were told that all plants must maintain production schedules sufficient to assure meeting of the needs of vital Army and Navy projects. As a means of speeding up tube production to a maximum, a plan of expanded plant facilities was discussed.

The plan involved the shifting of plant facilities to areas where more labor of the necessary type is available. Following an over-all review of the entire problem involving the scheduling of all military orders and the recommending of adjustments to assure the filling of all orders, it is felt that some flexibility for the production of less critical tubes, even tubes for civilian use, may be possible if materials are available. Until the military demands are met, however, no prediction of availability of civilian tubes can be made.

ABOUT THE COMMUNICATIONS MERGER

(As Released by NAB News Bureau)

The proposed merger of international communications which is now the subject of a hearing before the Senate Interstate Commerce Committee, has given rise to a considerable number of news items and editorials. Some confusion has been created in the public mind as to the extent of the merger proposals.

The National Association of Broadcasters has received several queries as to whether or not the proposed merger involves international broadcasting. This matter was brought out in the course of the testimony of FCC Chairman Paul A. Porter, on Thursday, March 22.

Senator Burton K. Wheeler, Committee Chairman, said to Mr. Porter, "I presume that when Secretary Forrestal and Admiral Redman were referring to a merger of international communications, they were referring to radio communications and particularly to point-to-point facilities."

Mr. Porter replied, "That is correct. We are referring to common carrier, all three of us, as distinguished from international broadcasting. . . . International broadcasting is, of course, a separate and distinct problem. A problem distinguished from the one we have before us."

Chairman Wheeler then observed, "Some of them did not seem to be entirely clear with reference to that."

It should be made quite clear that international broadcasting is in no way involved in the present merger proposal. The only question being considered is the consolidation of international common carrier or point-to-point communications services.

WOMEN'S RADIO COMMITTEE URGES MORE DISCUSSION ON SAN FRANCISCO CONFERENCE

New York, N. Y.—A resolution urging radio program directors and women broadcasters to devote a maximum of time between now and April 25 to discussing the issues of the San Francisco Conference that the public generally and women's groups in particular may be thoroughly informed about them was sent yesterday to the four major networks and to the Association of Women Directors of the National Association of Broadcasters by the Women's National Radio Committee.

The resolution, framed by a subcommittee headed by Mrs. Emory Ross, vice-president of the United Council of Church Women, was the outgrowth of a recent meeting of the Committee at which the need for an educational campaign in advance of the conference was strongly stressed. At that meeting, representatives of the 25 women's organizations composing the committee were urged to make known to the delegates, well in advance of the conference, the viewpoint of their organizations as to the role the United States should play in future world affairs. Grave apprehension was expressed that unless this were done, the outcome of the conference might not be satisfactory to the American public.

The Radio Committee resolution read as follows: "We, the members of the Women's National Radio Committee, representing organizations with a membership of several million, respectfully urge that program directors of the radio networks, and commentators, both women and men, lay major emphasis between now and April 25 on the issues to be discussed at the San Francisco Conference that the deliberations may be followed by an enlightened public."

Copies of the resolution were sent to Miss Margaret Cuthbert of the National Broadcasting Company, Miss Grace Johnsen of the American Broadcasting Company, Miss Edythe Meserand of the Mutual Broadcasting System and Miss Helen Sioussat of the Columbia Broadcasting System.

Although the organization representatives present could take no action in the name of their organizations, the sentiment of the group was unanimously in favor of full participation by the United States in a future world organization.

The Association of Women Directors is concurrently carrying a nationwide campaign on the subject, "Women of the United Nations." Special material prepared by UNIO and CIAA is being heard by women listeners in 270 cities over 425 stations. In 70 cities special civic plans are being directed by AWD Coordinators.

INTER-AMERICAN BROADCASTS INCREASE

Short wave broadcasts by the United States Government to the other Americas have increased from one half-hour to 280 program hours weekly, according to an article written by John W. G. V. Ogilvie, Director of the Radio Division, Office of Inter-American Affairs, appearing in the March 24 issue of the *Foreign Commerce Weekly*.

A huge listening audience has been attracted by this war information operation which, according to the author, has important post-war potentialities for the United States in the field of foreign trade, as well as of foreign relations. Tremendous expansion has been made possible by the construction of 22 transmitters to supplement 14 transmitters which in 1942 were leased for exclusive government use. The 36 short wave transmitters now operating are shared jointly by OWI and the Office of Inter-American Affairs. One-third of the transmitter time is allocated to the OIAA for broadcasting to the other Americas.

RADIO
1920 - 1945
XXV

WOW OBSERVES 22ND ANNIVERSARY

Omaha, Neb., March 26.—As an extraordinary "birthday present" to its listeners, Station WOW hopes to send Ray Clark, its chief newscaster, to the Pacific war theater to secure eye-witness, first-hand reports on how WOW-Land fighting men are getting along.

WOW begins its 23rd year of service on April 2nd. It was established on April 2, 1923.

Clark has made application for accreditation to Admiral Nimitz's command in the Central Pacific, through the Joint Army-Navy Credential Board in Washington.

Barring unexpected delays in the accrediting process, Clark expects to leave Omaha in mid-April. He plans to represent WOW as a staff correspondent at the United Nations Conference which begins April 25th. Preceding the conference he will have a series of interviews with WOW-Land wounded men in military hospitals en route.

Announcement of Clark's plans follows by less than a fortnight the arrival in Paris, France, of Foster May, special correspondent for the "News Views and Interviews" program, heard on WOW at 12 noon Saturdays. May is on the Western Front as a WOW correspondent and will send special dispatches for WOW newscasts. His first program from overseas was broadcast March 31st.

Thus with correspondents soon to be reporting from both important war theaters, WOW observes its 22nd Birthday, "pledged to Victory" and striving in every way possible to improve its broadcast service to its listeners.

WOW's birthday observance coincides with the observance of the industry's 25th anniversary—*Pledged to Victory*.

President John J. Gillin, Jr., of Radio Station WOW, Inc., ordered that there be "no celebration" of WOW's birthday.

"Celebrations can wait until after victory," Gillin wrote in a birthday message to the WOW staff. "Meanwhile all of us must renew our efforts to do all we can to help in every worthwhile war activity."

The WOW birthday brought forth scores of letters from leaders in the many phases of radio, calling attention to WOW's long service to its listeners.

Word came too that Jack Benny, "America's favorite comedian," planned to call attention to WOW's birthday on his Lucky Strike Show April 1. The Benny script called for Jack's "induction" in the "Nebraska Navy," an honor bestowed upon him by Governor Dwight Griswold, who is "grand admiral" of the "Nebraska fleet" and by Ted Metcalfe of Omaha, the Governor's "chief of staff."

WAYS THIRD ANNIVERSARY

Charlotte, N. C., March 27.—The month of March 1945 marks the third year since Radio Station WAYS went on the air. The rapid growth and popularity of WAYS in Charlotte, and the Piedmont Carolinas, is daily attested to by the constantly increasing influx of fan mail which exceeded 23,000 pieces in 1944.

From the modest beginning of only one commercial program and two spot announcements in March 1942, WAYS has expanded until at the present time this station puts on the air an average of more than twelve commercial broadcast hours daily, as well as more than seventy daily commercial announcements.

WAYS has always concentrated extensively on public service features for the benefit and entertainment of the listeners of Charlotte and vicinity.

In discussing the widespread popularity of this type of program, Walter H. Goan, General Manager of WAYS, said, "The local public service programs broadcast by WAYS during 1944 received such an overwhelming commendation from the listeners of the Piedmont Carolinas that we entered 1945 with even greater plans for the expansion and improvement of these popular programs." The popularity of the public service programs is enhanced by the fact that WAYS, with its 1000 watts, broadcasting day and night on 610 kilocycles, has the distinction of being the only station exclusively concentrating on covering the Piedmont Carolinas.

WHEC USES NEW XXV LOGOTYPE IN NEWSPAPER ADVERTISING

Newspaper tear-sheets of WHEC (Rochester) advertising have been received by NAB with a letter of explanation indicating that the very striking logotype which heads the advertisement will appear on all copy throughout the 1945 Anniversary observance by the industry.

WATERBURY GLOBAL SHOW A BULL'S EYE

Both broadcast management and talent appearing on the Waterbury "Let's Go to Town" program have received "letters direct from local boys from practically every section of the world where our armed forces are located. And, in adidtion," wrote E. J. Frey, task force commander, and manager of WBRY, "there have been dozens of telephone calls from parents and relatives of boys who have told them about hearing the show in their letters home."

Local talent appearing on the program has reported complimentary mail coming directly to them. Mayor Monagan said he had received over fifty letters.

"The reaction here has been so good that we suggest more records be made, and soon," Mr. Frey said. "We made but one record for the last quota but would like to be counted on for two or possibly three, if another series is decided upon. We believe this series is one of the finest things that radio has done during the war." (Note: So as to keep geographical allocation of programs in balance, Waterbury has been allocated but one additional program at this time.)

5 More Shows Delivered

Since last Thursday the following "Let's Go to Town" programs have been shipped to Armed Forces Radio Service:

DISTRICT II

Buffalo........................Cy King, WEBR, *TFC
(2nd Buffalo Show)
Trenton...................Dean Andrews, WTTM, *TFC

DISTRICT VI

Nashville.....................Harry Stone, WSM, *TFC

DISTRICT IX

Milwaukee.....................R. G. Winnie, WTMJ, *TFC
(2nd Milwaukee Show)

DISTRICT XIII

Fort Worth.............George Cranston, WBAP, *TFC

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* Task Force Commander.

WTAR ISSUES PUBLIC SERVICE AND WAR EFFORT REPORT

Henry Cowles Whitehead, program director, WTAR, Norfolk, has released a compilation of the station's War Effort and Public Service for the year 1944.

The war effort accounted for 6,728 announcements and 774 programs accounting for 357 hours of broadcast time.

General public service consumed 296 hours of time with 998 announcements and 967 programs.

LASKY HEADS AD CLUB COMMITTEE

Philip G. Lasky, general manager, KROW, Oakland, has been appointed Chairman of the War Advertising Committee of the Oakland Advertising Club. He is currently serving as radio chairman of the Red Cross War Campaign Fund.

KC RED CROSS QUOTA PUSHED OVER TOP BY KOERPER

Kansas City, Mo., Mar. 29.—With Karl Koerper, managing director of WMBC, at the helm as general chairman, Kansas City's 1945 Red Cross Campaign for more than a million dollars had been over-subscribed by $153,378 on the closing day of the drive. Late subscriptions, coming in for another two weeks, are expected to swell that total substantially.

RADIO REGULATORY AGENCIES IN AMERICAN REPUBLICS

From time to time inquiries are received at NAB for information as to the agencies in the other American republics which occupy a position corresponding to that of the Federal Communications Commission in the United States.

Through the courtesy of the Telecommunications Division of the Department of State, we have been provided with the following list:

Argentina
  Ministry of Interior
    Office of Posts and Telecommunications
Bolivia
  Ministry of Public Works and Communications
    General Telegraphs and Radiocommunications
      Administration (Director General)
Brazil
  Ministry of Communications
    Department of Posts and Telegraphs
      (Director General)
Chile
  Ministry of Interior
    Bureau of Electrical Services (Director General)
Colombia
  Ministry of Communications
Costa Rica
  Ministry of Public Works and Development
Cuba
  Ministry of Communications

Dominican Republic
  Ministry of Public Works and Communications

Ecuador
  Ministry of Public Works, Agriculture and Development

El Salvador
  Ministry of Interior
    Director General of National Telegraphs, Telephones and Radios

Guatemala
  Ministry of Public Works
    Director General of Communications

Haiti
  Department of the Interior

Honduras
  Ministry of Development
    Director General of Electrical Communications

Mexico
  Department of Communications and Public Works

Nicaragua
  Ministry of Public Works and Economics
    Director General of Communications

Panama
  Ministry of Government and Justice
    National Telegraph Department

Paraguay
  Bureau of Posts and Telegraphs (Director General)

Peru
  Ministry of Government and Police
    Director General of Posts, Telegraphs and Radio

Uruguay
  Ministry of National Defense
    Department of Communications

Venezuela
  Ministry of Labor and Communications

AKRON AD CLUB SPONSORS NEWSMEN'S FORUM ON AIR

The Advertising Club of Akron, Ohio, is sponsoring a Washington correspondent's forum which will be broadcast over the coast-to-coast facilities of the Blue Network on Tuesday, April 3, 9:00 to 9:30 PM., E.W.T.

The subject of the forum will be the United Nations' San Francisco meeting and its significance.

Participants in the forum will be Burt Andrews, chief of Washington Bureau, New York Herald-Tribune; John O'Donnell, chief of Washington Bureau, New York Daily News; George Dixon, King Features Syndicate; Radford Mobley, Washington Bureau, Knight Newspapers, and Edward Jamieson, president, National Press Club. John S. Knight, publisher of Knight Newspapers, will act as moderator.

LEYTE ON THE AIR

The first Armed Forces radio station in the Philippines WVTK went on the air "somewhere in Leyte" on February 20, according to an announcement by the War Department Bureau of Public Relations.

Confronted with seemingly insurmountable difficulties, with mud up to their knees, with building material lacking and outside help scarce, the staff set up the 350-watt station with surprising speed. With the aid of Filipinos, concrete bases for the two 95-foot steel towers were erected 235 feet apart. Signal Corps outfit assisted in assembling and erecting the towers. A small building was constructed directly below the antenna and a combined studio-office completes the layout.

The station is now in full operation.

NEW CHARTER FOR LABOR AND MANAGEMENT

A joint committee of industrialists and labor leaders announces the formulation of a Code of Principles to govern management and labor relationships in the post war era.

At a press conference at the Chamber of Commerce of the United States on Wednesday (28) representatives of the organization committee chairmaned by President Eric Johnston of the CCUS, flanked by William L. Green, AFL President, and Philip Murray, CIO President, and by Edward Thomas, President of the Goodyear Tire and Rubber Company, and Otto Seyferth, President of the West Michigan Steel and Wire Company, President Johnston read the following press release:

"We in management and labor firmly believe that the end of this war will bring the unfolding of a new era based upon a vastly expanding economy and unlimited opportunities for every American.

"This peacetime goal can only be attained through the united effort of all our people. Today, we are united in national defense. Tomorrow, we must be united equally in the national interest.

"Management-labor unity, so effective in lifting war production to unprecedented heights, must be continued in the postwar. To this end, we dedicate our joint efforts for a practical partnership within the framework of this code of principles:

"1. Increased prosperity for all involves the highest degree of production and employment at wages assuring a steadily advancing standard of living. Improved productive efficiency and technological advancement must, therefore, be constantly encouraged.

"2. The rights of private property and free choice of action, under a system of private competitive capitalism, must continue to be the foundation of our nation's peaceful and prosperous expanding economy. Free competition and free men are the strength of our free society.

"3. The inherent right and responsibility of management to direct the operations of an enterprise shall be recognized and preserved. So that enterprise may develop and expand and earn a reasonable profit, management must be free as well from unnecessary governmental interference or burdensome restrictions.

"4. The fundamental rights of labor to organize and to engage in collective bargaining with management shall be recognized and preserved, free from legislative enactments which would interfere with or discourage these objectives. Through the acceptance of collective bargaining agreements, differences between management and labor can be disposed of between the parties through peaceful means, thereby discouraging avoidable strife through strikes and lockouts.

"5. The independence and dignity of the individual and the enjoyment of his democratic rights are inherent in our free American society. Our purpose is to cooperate in building an economic system for the nation which will protect the individual against the hazards of unemployment, old-age and physical impairments, beyond his control.

"6. An expanding economy at home will be stimulated by a vastly increased foreign trade. Arrangements must therefore be perfected to afford the devastated or undeveloped nations reasonable assistance to encourage the rebuilding and development of sound economic systems. International trade cannot expand through subsidized competition among the nations for diminishing markets but can be achieved only through expanding world markets and the elimination of any arbitrary and unreasonable practices.

"7. An enduring peace must be secured. This calls for the establishment of an international security organization, with full participation by all the United Nations, capable of preventing aggression and assuring lasting peace.

"We in management and labor agree that our primary duty is to win complete victory over Nazism and Japanese militarism. We also agree that we have a common joint duty, in cooperation with other elements of our national life and with government, to prepare and work for a prosperous and sustained peace. In this spirit we agree to create a national committee, composed of representatives of business and labor organizations. This committee will seek to promote an understanding and sympathetic acceptance of this code of principles and will propose such national policies as will advance the best interests of our nation."

Following the presentation of the Code of Principles, representatives of the press and of trade associations made many inquiries of the committee representatives. Both Presidents Murray of CIO and Green of AFL, as well as Eric Johnston, speaking on behalf of the Chamber of Commerce of the United States, pledged their undivided effort to implement the Code and make it of practical service to the nation in the post war period. NAB was represented at the conference.

945 STANDARD BROADCAST STATIONS

The total number of standard broadcast stations did not change during the month of February. However, two of the CP stations were licensed. A comparative table by months follows:

	1944										1945		
	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1
Operating	909	909	909	910	912	913	912	914	916	919	919	921	923
Construction	8	9	11	13	12	13	16	15	15	18	24	24	22
	917	918	920	923	924	926	928	929	931	937	943	945	945

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 2.

Federal Communications Commission Action

APPLICATIONS GRANTED

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Granted license to cover construction permit, as modified, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and move of transmitter and studio (B3-L-1865); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1669); license is granted subject to the condition that, in the event of an actual increase in interference to Mexican Station XEMU and a protest from the Mexican Government, the antenna system shall be readjusted so as to reduce radiation towards XEMU to a value acceptable to Mexico.

W2XJT—William B. Still, tr/as Jamaica Radio Television Co., Jamaica, Long Island, N. Y.—Granted modification of construction permit, upon an experimental basis only, conditionally, which authorized a new experimental television broadcast station, for extension of completion date from April 1 to June 30, 1945 (B1-MPVB-118).

KTBC—State Capital Broadcasting Assn., Inc. (Assignor), Claudie T. Johnson (Assignee), Austin, Texas.—Granted consent to voluntary assignment of license of station KTBC from State Capital Broadcasting Assn., Inc., to Claudia T. Johnson. No monetary consideration involved, assignee is sole stockholder. (B4-AL-431)

WBRW—J. W. Blakely, Gladys H. Blakely and J. Read Werness (Transferors), Joe G. Hunt, W. R. Keyser, Ellis Landreth, Clarence H. Frey and Robert O. Greever (Transferees), McDowell Service Co. (Licensee), Welch, W. Va.—Granted consent to voluntary transfer of control of McDowell Service Co., licensee of Station WBRW, from J. W. Blakely, Gladys H. Blakely and J. Read Werness to Joe G. Hunt, W. R. Keyser, Ellis Landreth, Clarence H. Frey and Robert O. Greever, five new stockholders, no one of which will acquire voting control, for a consideration of $67,239 for 150 shares. (B2-TC-431)

LICENSE RENEWALS

Granted extension of following station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1945:

KASA, Elk City, Okla.; KAVE, Carlsbad, New Mexico; KDLR, Devils Lake, N. Dak.; KDON, Monterey, Calif.; KFBC, Cheyenne, Wyo.; KFJI, Klamath Falls, Ore.; KFOR, Lincoln, Nebr.; KGBS, near Harlingen, Tex.; KGY, Olympia, Wash.; KHBG, Okmulgee, Okla.; KICA, Clovis, New Mexico; KICD, near Spencer, Iowa; KIUL, Garden City, Kans.; KMAC, San Antonio, Tex.; KOCA, Kilgore, Tex.; KOVO, Provo, Utah; KPFA, Helena, Mont.; KPPC, Pasadena, Calif.; KROY, Sacramento, Calif.; KVSO, Ardmore, Okla.; KWAT, Watertown, S. Dak.; KWIL, Albany, Ore.; KWJB, near Globe, Ariz.; KWLC, Decorah, Iowa; KWOS, Jefferson City, Mo.; KWRC, Pendleton, Ore.; KXOX, near Sweetwater, Tex.; KYUM, Yuma, Ariz.; WATN, Watertown, N. Y.; WBBL, Richmond, Va.; WBIR, Knoxville, Tenn.; WBML, Macon, Ga.; WCOU, Lewiston, Maine; WCOV, Montgomery, Ala.; WCRW, Chicago, Ill.; WEBQ, Harrisburg, Ill.; WFOY, St. Augustine, Fla.; WGAC, near Augusta, Ga.; WGCM, Gulfport, Miss.; WGGA, Gainesville, Ga.; WGRM, Greenwood, Miss.; WHBU, Anderson, Ind.; WIBU, Poynette, Wisc.; WINK, Ft. Myers, Fla.; WINN, Louisville, Ky.; WJBY, Gadsden, Ala.; WJEJ, Hagerstown, Md.; WJIM, Lansing, Mich.; WKOK, Sunbury, Pa.; WLAG, LaGrange, Ga.; WMFG, Hibbing, Minn.; WPAX, Thomasville, Ga.; WRAL, Raleigh, N. C.; WSAY, Rochester, N. Y.; WSBC, Chicago, Ill.; WSLS, Roanoke, Va.; WSNJ, near Bridgeton, N. J.; WSNY, Schenectady, N. Y.

Granted further extension of following station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1945:

KDAL, Duluth, Minn.; KELA, between Centralia and Chehalis, Wash.; KELO, Sioux Falls, S. Dak.; KFJB, Marshalltown, Iowa; KFMB, San Diego, Calif.; KHBC, Hilo, Hawaii; KGDE, near Fergus Falls, Minn.; KSWO, Lawton, Okla.; KTUL, Tulsa, Okla.; KWNO, Winona, Minn.; WAYX, Waycross, Ga.; WBLJ, Dalton, Ga.; WCAX, Burlington, Vt.; WCBT, Roanoke Rapids, N. C.; WCLO, Janesville, Wisc.; WDSM, Superior, Wisc.; WFIN, Findlay, Ohio; WHBY, Appleton, Wisc.; WHKK, Cleveland, Ohio; WIBG, Glenside, Pa.; WIBX, Utica, N. Y.; WISE, Asheville, N. C.; WJBC, Bloomington, Ill.; WLOF, Orlando, Fla.; WMBD, Peoria, Ill.; WMRO, Aurora, Ill.; WNEW (main and auxiliary), New York, N. Y.; WOLS, Florence, S. C.; WOV (main and auxiliary), New York, N. Y.; WPRA, Mayaguez, P. R.; WROX, Clarksdale, Miss.; WTOL, Toledo, Ohio; WTAQ, Green Bay, Wisc.

W2XWE—WOKO, Inc., Albany, N. Y.—Present facsimile broadcast station license further extended upon a temporary basis for the period ending June 1, 1945, pending determination upon application for renewal.

W2XEO—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Present ST broadcast station license extended upon a temporary basis only, for the period ending June 1, 1945, pending receipt and/or determination upon application for renewal.

W2XBD—General Electric Co., Schenectady, N. Y.—Present ST broadcast station license extended upon a temporary basis only, for the period ending June 1, 1945, pending receipt and/or determination upon application for renewal.

W3XEP—Radio Corp. of America, Camden, N. J.—Granted further extension of experimental television broadcast station license, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1945. (B1-SVB-44)

W3XAD—Radio Corp. of America, area of Camden, N. J.—Granted further extension of experimental television broadcast station license, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1945. (B1-SVB-45)

HEARING DESIGNATED

George E. Miller, Myron Honigman and Lou Peller, d/b as Baron Broadcasting Co., Wilkes-Barre, Pa.—Adopted order designating for hearing application for a new station to operate on **1240 kc.**, with power of 250 watts, unlimited time. Exact transmitter and studio location to be determined, in accordance with procedure set forth in Public Notice of January 25, 1945.

DOCKET ACTION

The Commission announced its Decision and Order (B-206) granting the application for consent to transfer control of North Jersey Broadcasting Co., Inc., licensee of Station WPAT, Paterson, N. J., from Frank Falknor and Rex Schepp, transferors, to Donald Flamm, transferee (Docket No. 6521). Commissioner Walker dissented.

The Commission held that the arrangements under which transferee acquired 49% of licensee's stock and option to purchase an additional 1%, and in which his attorney acquired a proxy to vote the 1% included in the option, constituted a transfer of control which should have been presented to the Commission for approval prior to the date the arrangements were effected. However, the Decision points out that there has not heretofore been a definitive opinion by the Commission construing the provision of Section 310(b) in a situation of this kind, and that the parties had reported all transactions promptly to the Commission and, on request, had submitted an application so that the matter might be examined by the Commission. The Commission stated that in the absence of any other evidence or compelling reasons why consent should not be given, "we are of the opinion that the public interest will be served by granting the instant application for consent to transfer of control of North Jersey Broadcasting Corporation."

Commissioner Walker's dissent reads:

"I concur in the opinion of the majority of the Commission that the arrangements under which Donald Flamm acquired 49% of the capital stock of the license corporation and an option to purchase an additional 1% interest, and under which his attorney, in connection with the same transaction, acquired an irrevocable proxy to vote the stock included in the option, constituted a transfer of control within the meaning of Section 310(b) of the Communications Act, as amended. But I disagree with the decision of the Commission which gives approval to a transfer of this nature after the event. Section 310(b) contemplates approval, in writing, by the Commission prior to the transfer of control of a licensee. There are no mitigating circumstances shown herein."

The Commission, at the same time, issued its Proposed Findings of Fact and Conclusions (B-203), looking toward a denial of the application of WOKO, Inc., for renewal of license for Station WOKO, Albany, New York (Docket No. 6486), because of misrepresentations made in applications to the Federal Radio Commission and the Federal Communications Commission. In its Conclusion the Commission states: "From a consideration of all the material facts found in the record of this hearing, the Commission has concluded that the applicant cannot be entrusted with the responsibilities of a licensee. The Commission, therefore, finds that a grant of the application for renewal of license for the operation of WOKO by the applicant corporation would not serve public interest, convenience, or necessity and therefore should be denied."

The effective date of this order is April 27, 1945.

Commissioner Case did not participate in the above actions.

The Commission also announced its Proposed Findings of Fact and Conclusions (B-209) looking toward a denial of the application for consent to the transfer of control of Wodaam Corporation, licensee of Station WOV, New York, New York, from Arde Bulova and Harry D. Henshel, transferors, to Murray Mester and Meyer Mester, transferees.

The applicants are allowed twenty days within which to file exceptions to the Commission's Proposed Findings.

The Commission was not satisfied from the record that the transferees possess the qualifications essential to operate Station WOV in the public interest or that they had shown that they are capable of being entrusted with the responsibilities and obligations expected of a person privileged to hold a station license.

The Commission's Conclusions follow:

1. The transferees, in carrying on their edible oil business, have violated and disregarded regulatory laws of the states and federal government on numerous occasions, ever since they have been in business. The particular violations they have been guilty of are in several cases odious and clearly not matters of inadvertence. For example, at one time their products, consisting essentially of cottonseed oil, were designedly labeled with the words "Tipo Lucca," olive branches, a coat of arms and crown, and wording in Italian, with the true content inconspicuously marked in English, for the apparent purpose of misleading buyers into thinking that the contents consisted of imported olive oil. In addition, Murray Mester, admitted, after having denied on oath any connection with the incident, that he shipped an adulterated domestic oil in interstate commerce which, he said, he had first sold to the packer who falsely labeled it as imported olive oil and failed to pack full measure.

2. These acts, together with the fact that quite recent actions against the transferees have been instituted by the Federal Trade Commission and the state and federal food authorities, show that the transferee applicants lack even that sense of responsibility toward the public expected in ordinary business dealings. The mandate of Congress contained in the Communications Act of 1934, requires the Commission to select as station licensees those who will operate under their public grant in the public interest, convenience and necessity rather than according to the doctrine of *caveat emptor. In re Application of WOKO, Inc.*, Docket No. 6486, November 9, 1944. From the proved misconduct of the transferees in carrying on an ordinary business, there is substantial reason to believe that they could not be entrusted with the much higher degree of public responsibility required by law of a station licensee. Indeed, the applicants have refused to consider their infractions of the law as serious, and consequently it is not unreasonable to expect that they would show a similar disregard for this Commission's Rules and Regulations. Furthermore, although the action filed by the Office of Price Administration has not been determined by the courts, the Commission believes that in the light of the other facts disclosed at the hearing it would also be unwise to approve the qualifications of the applicants with such a matter undisposed of.

3. In addition, the transferees, at the hearing, although testifying under oath, concealed and misrepresented numerous facts within their knowledge relating to their difficulties with various governmental bodies. This lack of credibility is indicative of what could be expected of them in the submission of future reports to the Commission if the proposed transfer were granted. The interest of the Commission in station operation is a continuing one, and in carrying out its responsibility the Commission must rely primarily on statements made by station licensees. "Caution must, therefore, be exercised to grant station licenses only to those persons whose statements are trustworthy." *In the Matters of Western Gateway Broadcasting Corp., et al.*, 9 F.C.C. 92, 102 (1942); *In the Matter of the Mayflower Broadcasting Corp.*, 8 F.C.C. 333, 338 (1940); *In the Matter of John H. Stenger, Jr.*, 8 F.C.C. 434, 444 (1940).

4. Moreover, the applicants have come to this Commission seeking to assume the responsibility and privilege of controlling a broadcast license completely ignorant of the Communications Act and the Rules and Regulations of the Commission. They expect to run Station WOV as a secondary business investment, relying primarily on others than themselves to carry out their licensee obligations. They expect to increase the station's profits "by selling more time," even though the station's schedule already shows 75 per cent of the broadcast time on weekdays and 83 per cent on Saturdays is devoted entirely to commercial programs while most of the remaining "sustaining" programs carry numerous commercial announcements. Cf. *In the Matter of R. R. Jackman et al.*, 5 F.C.C. 496, 498, 499-500 (1938).

5. Under Sections 308(b) and 309(a) of the Communications Act of 1934, the Commission, in exercising its authority to grant station licenses, is directed to examine into "the citizenship, character, and financial, technical, and other qualifications of the applicant to operate the station," and "the purposes for which the station is to be used," and to hold a hearing on the application, if necessary, in order to determine whether "public interest, convenience, or necessity would be served by the granting thereof." Under Section 310(b), it is provided that the license and rights therein granted shall not be transferred in any manner, "or indirectly by transfer of control of any corporation holding such license, to any person, unless the Commission shall, after securing full information, decide that said transfer is in the public interest, and shall give its consent in writing." From a careful examination of all of the material facts contained in the application and the record

of the hearing in the instant case, it is clear that the transferees do not possess the qualifications essential to operate Station WOV in the public interest and have failed to establish that they are capable of being entrusted with those responsibilities and obligations expected of one privileged to hold a station license.

6. The Commission concludes that transfer of control of Wodaam Corporation to the transferees would not serve the public interest, convenience or necessity. The application, therefore, should be denied.

MISCELLANEOUS

The following applications for construction permits for new high frequency FM broadcast stations were placed in pending file in accordance with the Commission policy adopted February 23, 1943: Scripps-Howard Radio, Inc., Cleveland, Ohio (B2-PH-438); Knoxville Publishing Co., Knoxville, Tenn. (B3-PH-437); News-Press Publishing Co., Santa Barbara, Calif. (B5-PH-436); KFEQ, Inc., St. Joseph, Mo. (B4-PH-414); Raytheon Manufacturing Co., Chicago, Ill. (B4-PH-435); Kokomo Broadcasting Corp., Kokomo, Indiana (B4-PH-434); Rock Island Broadcasting Co., Rock Island, Ill. (B4-PH-138).

New Jersey Broadcasting Corp., Jersey City, N. J.—Granted application for construction permit for a new developmental broadcast station to be operated on frequencies to be assigned by the Commission's Chief Engineer. (B1-PEX-55)

Cowles Broadcasting Company, Washington, D. C.—Denied application for construction permit for new developmental broadcast station. (B1-PEX-53)

Cowles Broadcasting Co., Des Moines, Iowa—Denied application for construction permit for new developmental broadcast station. (B4-PEX-54)

Northwest Broadcasting Co., Minneapolis, Minn.—Denied application for construction permit for new developmental broadcast station. (B4-PEX-56)

Massachusetts Broadcasting Corp., Boston, Mass.—Denied application for construction permit for new developmental broadcast station. (B1-PEX-58)

WLAP—American Broadcasting Corp., Lexington, Ky.—Denied special service authorization to operate on **630 kc.**, with power of 100 watts night, 250 watts LS, for a period ending Oct. 1, 1945. (B2-SSA-120)

APPLICATIONS FILED AT FCC

600 Kilocycles

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, N. Dak.—Acquisition of control of licensee corporation by John W. Boler through purchase of 72 shares common stock (Treasury and new stock).

810 Kilocycles

WGY—General Electric Co., Schenectady, N. Y.—License to cover construction permit (B1-P-3645) which authorized decrease in power and changes in transmitting equipment of auxiliary.

930 Kilocycles

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Modification of construction permit (B3-P-3114, as modified, which authorized increase in power, installation of directional antenna for night use, and move of transmitter) for extension of completion date from 4-20-45 to 7-20-45.

1230 Kilocycles

WIBX—WIBX, Incorporated, Utica, N. Y.—Transfer of control of licensee corporation from Scott Howe Bowen, deceased, to Estate of Scott Howe Bowen, Margaret P. Bowen, Executrix—51%.

KXO—Valradio, Inc., El Centro, Calif.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

WJMC—Walter C. Bridges, Rice Lake, Wis.—Voluntary assignment of license to WJMC, Incorporated.

1340 Kilocycles

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—License to cover construction permit (B3-P-3594) which authorized a new standard broadcast station.

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—Authority to determine operating power by direct measurement of antenna power.

1490 Kilocycles

KGKB—East Texas Broadcasting Co., Tyler, Texas—Voluntary assignment of license to James G. Ulmer.

WTMV—Mississippi Valley Broadcasting Co., Inc., East St. Louis, Ill.—Voluntary assignment of license to Myles H. Johns, Penrose H. Johns, William F. Johns, and William F. Johns, Jr., a partnership, d/b as Mississippi Valley Broadcasting Company.

FM Applications

NEW—The Columbus Broadcasting Co., Inc., Columbus, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43700 kc.**, with coverage of 20,792 square miles.

NEW—Donald W. Reynolds, Fort Smith, Ark.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47300 kc.**, with coverage of 30,650 square miles.

NEW—Queen City Broadcasting Co., Inc., Seattle, Wash.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43500 kc.**, with coverage of 17,440 square miles.

Television Applications

NEW—The Travelers Broadcasting Service Corp., Hartford, Conn.—Construction permit for a new commercial television broadcast station to be operated on Channel No. 7 (**102000-108000 kc.**) with ESR of 1210. Amended to request Channel No. 3 (**60000-66000 kc.**) as proposed in allocation.

NEW—E. Anthony & Sons., Inc., Boston, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel No. 2 (**60000-66000 kc.**) with ESR of 3706. Amended to change transmitter location from Paxton, Mass., to Boston, Mass.

W8XCT—The Crosley Corp., Cincinnati, Ohio—Modification of construction permit (B2-PVB-23 as modified, which authorized a new experimental television broadcast station) for extension of completion date from 4-28-45 to 10-28-45.

W2XPR—Philco Radio & Television Corp., Area of Philadelphia, Pa.—Modification of construction permit (B1-PVB-102, which authorized a new experimental television broadcast station) to increase power from 15 watts to 40 watts, add A3 emission, change location from Area of New York, N. Y., to Area of Washington, D. C., Philadelphia, Pa., and New York, N. Y., change antenna and transmitter, and extend commencement and completion dates.

NEW—Don Lee Broadcasting System, San Francisco, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel No. 1 (**50000-56000 kc.**). Amended to specify transmitter location as Top of Mount Tamalpais, Marin County, Calif.

NEW—The Kansas City Star Co., Kansas City, Mo.—Construction permit for a new commercial television broadcast station to be operated on Channel No. 1 (**44000-50000 kc.**) as proposed in allocation, with ESR of 2455.

Miscellaneous Applications

W9XEK—Courier-Journal and Louisville Times Co., Eastwood, Ky.—Construction permit to increase power from 1 KW to 10 KW, change frequency from **45500 kc.** or other frequencies at the direction of the Commission, to **43900, 87800 kc.**, or any assigned by the Commission's Chief Engineer, change emission from A0, A1, A3, and Special for FM to A0, A1, A3, A4 and Special for FM on **43900 kc.** and A0, A1, A4 and Special for FM on **87800 kc.**, and change type of transmitter and antenna.

WRBL—The Columbus Broadcasting Co., Inc., Columbus, Ga.—Voluntary assignment of license to J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Company.

WJWC—Columbus Broadcasting Co., Inc., Area of Columbus, Ga.—Voluntary assignment of construction permit (B3-PRY-442) to J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Company.

NEW—Columbia Broadcasting System, Inc., Delano, Calif.—Construction permit for a new international broadcast station to be operated on **6120, 6170, 9650, 11830, 15270, 17830, 21520, 21570 kc.,** with power of 200 KW, A3 emission.

W3XPA—Philco Radio & Television Corp., Area of Philadelphia, Pa.—Construction permit to increase power from 15 watts to 40 watts, add A3 emission, and change location from Area of Philadelphia, Pa., to Area of Washington, D. C., Philadelphia, Pa., and New York, N. Y., change antenna and transmitter.

W3XPC—Philco Radio & Television Corp., Area of Philadelphia, Pa.—Construction permit to increase power from 15 watts to 40 watts, add A3 emission, and change location from Area of Philadelphia, Pa., to Area of Washington, D. C., Philadelphia, Pa., and New York, N. Y., change antenna and transmitter.

W3XPD—Philco Radio & Television Corp., Area of Philadelphia, Pa.—Construction permit to increase power from 15 watts to 40 watts, add A3 emission, and change location from Area of Philadelphia, Pa., to Area of Washington, D. C., Philadelphia, Pa., and New York, N. Y., change antenna and transmitter.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

W. H. Brady & Co., 510 Water St., Eau Claire, Wis., and its officers are charged in a complaint with selling push cards and other lottery devices which are used by others to promote the sale of merchandise to the purchasing public. The respondent officers, who formulate and control the practices and policies of the corporate respondent, are Frederick W. Brady, Elizabeth A. Brady, Mildred J. Brady, Richard H. Brady, William H. Brady, Jr., and Max H. Molitor. (5298)

Southern California Fish Corp. et al.—Violation of the brokerage section of the Robinson-Patman Act, is alleged in separate complaints issued against two California corporations, each engaged in buying, packing, selling and distributing canned sea food products for their respective accounts for resale.

One complaint is directed against Southern California Fish Corp., Terminal Island, Calif., with a branch office at San Pedro; and the other against Del Mar Canning Co., 756 Ocean View Ave., Monterey, Calif. (5296-5297)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Aimé Company, 20 West 17th St., New York, stipulated that in the sale of a product designated "Aimé Waterless Shampoo" he will discontinue designating or referring to it as "waterless," or otherwise representing that it contains no water. (3989)

Bloch Brass Co., 1900 Euclid Ave., Cleveland, entered into a stipulation to discontinue certain misrepresentations in connection with the sale of cement bathtubs designated "Pearlon Tubs." (3995)

Busch's Jewelry Co., Inc., and Busch's Kredit Jewelry Co., Inc., 35 West 14th St., New York, operating a number of retail jewelry stores in the Greater New York area, entered into a stitpulation to discontinue certain misrepresentations in connection with the sale of jewelry. (3991)

Furmbilt Stores, Inc.—A stipulation to discontinue misrepresenting the fiber content and price of men's clothing has been entered into by Furmbilt Stores, Inc., 120 Fifth Ave., New York. (03261)

Frances Parker, 4441 North Racine Ave., Chicago, entered into a stipulation to discontinue representing that the medicinal preparation she sells under the names Nurse Parker's New Formula Pills, Nurse Parker's Relief Compound Pills, and Nurse Parker's Compound, will constitute a competent or effective treatment for delayed menstruation. (03260)

S. L. Schwartz et al.—Three stipulations have been accepted in which the respective respondents agree to discontinue representing that the vitamin products they sell, each containing calcium pantothenate as its principal ingredient, are capable of restoring the natural color to hair and preventing gray hair. (03257-03258-03259)

Waft Products Distributors, Inc., Ferguson Bldg., Springfield, Ill., has entered into a stipulation to cease and desist from the use of the words "free," "gift," or terms of like import to describe merchandise when it is not given free or as a gratuity but the recipient is required, as a consideration, either to pay in whole or in part the price thereof, to purchase some other article or to render some service in order to obtain the same. (3990)

Wilson Hay Fever Disk Co., 5324 South Emerson St., Minneapolis, engaged in the sale of filter devices for the nostrils, an inhalant and a medicinal preparation for use therein, stipulated that he will cease and desist from misrepresenting the therapeutic properties of the products which he advertises as being effective in relieving hay fever. (3993)

X-Pando Corp.—A stipulation to discontinue misrepresenting the results to be obtained from the use of a waterproofing preparation designated "X-Pandoseal" has been entered into by X-Pando Corporation, 43-15 36th St., Long Island City, N. Y. (3992)

Zapo Manufacturing Co., 7013 Yale Ave., Chicago, engaged in the sale of a product designated Plastic Rubber Putty, stipulated that it will cease misrepresenting its composition and the character of his business. (3994)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Control Products Co., 927 Putnam Ave., Brooklyn, has been ordered to discontinue the dissemination of false advertisements concerning a device designated "Control Flow and Adjuster," for use in connection with colonic and vaginal irrigations. (3340)

Dri-Kleen Co., 325 West Huron St., Chicago, has been ordered to discontinue representing in newspaper and magazine advertisements and by other means that the powder they sell under the name "Dri-Kleen" will remove stains or grease spots from all fabrics. The respondents are further ordered to cease and desist from using the term "dry clean" or the simulation "Dri-Kleen," or any other term of similar import, as a part of their trade name or to describe or refer to their preparation, or otherwise representing that the preparation is a dry cleaner or that its use constitutes dry cleaning. (5103)

A. M. Florman & Bro.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act has been issued against Arthur M. Florman and Leo Florman, trading as A. M. Florman & Bro., 134 West 32d St., New York, engaged in business as commission resident buyers of millinery. (4227)

Gotham Premium Novelty Co., 303 Fourth Ave., New York, have been ordered to cease and desist from selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme. The respondents are engaged in the sale of garments, luggage, watches, cameras, novelty jewelry, cosmetics and other merchandise. (5015)

L. P. Maggioni & Co. et al.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act has been issued against Joseph O. Maggioni, Joseph S. Cafiero, and Madeline Cafiero, trading as L. P. Maggioni & Co., 401 West Bay St., Savannah, Ga., engaged in packing and canning fish, oysters, shrimp and clams, and in the sale and distribution of such sea food products in their own name and for their own account for resale. (5129)

Interstate Home Equipment Co.—An order directing Interstate Home Equipment Co., Inc., 60 Franklin St., Providence, R. I., has been issued to discontinue certain misrepresentations in connection with the sale of household articles, including silverware, mattresses, blankets, radios, and towels. (5173)

Rudd Manufacturing Co., 17 West 17th St., New York, has been ordered to cease and desist from misbranding men's and boys' pants and other wearing apparel in violation of the Wool Products Labeling Act and the rules and regulations promulgated thereunder. (5047)

Steuerman Advertising Agency, 205 East 42nd St., New York, have been ordered to cease and desist from disseminating false advertisements concerning the therapeutic properties of a medicinal preparation designated Ostrex. (4894)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 14, April 6, 1945

NLRB REBUKES PETRILLO

The National Labor Relations Board has entered a final Decision and Order in the NBC and Blue Network case involving the National Association of Broadcast Engineers and Technicians (NABET) and the American Federation of Musicians. The Board adopted in full the findings, conclusions and recommendations of the Trial Examiner with the exceptions, additions and qualifications set forth in note 1, appearing in the verbatim copy of the Decision and Order. To fully understand the Board's final Decision and Order, the Intermediate Report of the Trial Examiner should be read. This is published in full in Vol. 13, page 74, *et seq.*, of the NAB REPORTS.

The Order directs NBC and the Blue to cease and desist from refusing to bargain collectively with NABET as the exclusive representatives of their employees including "all technical employees * * * engaged in the operation of technical facilities used in transmitting, converting, and/or conducting audio, video and/or radio frequencies for use in broadcast, re-broadcast, audition, rehearsal, recording and/or 'on the air play-back' excepting 'on the air' play-back in Chicago, Illinois."

This means that exclusive jurisdiction over "platter turners" in NBC and Blue managed and operated stations, except in Chicago, Illinois, is awarded to NABET.

(NOTE: For further information with reference to preliminary negotiations leading up to this final decision, see NAB REPORTS, Vol. 13, page 37.)

The full text of the Decision and Order follows:

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

Case No. 2-C-5735

In the Matter of
NATIONAL BROADCASTING COMPANY, INC.
and
NATIONAL ASSOCIATION OF BROADCAST ENGINEERS AND TECHNICIANS
and
AMERICAN FEDERATION OF MUSICIANS

Case No. 2-C-5734

In the Matter of
AMERICAN BROADCASTING COMPANY, INC.
and
NATIONAL ASSOCIATION OF BROADCAST ENGINEERS AND TECHNICIANS
and
AMERICAN FEDERATION OF MUSICIANS

Decision and Order

On February 3, 1945, the Trial Examiner issued his Intermediate Report in the above-entitled consolidated proceeding, finding that the respondents had engaged in and were engaging in certain unfair labor practices and recommending that they cease and desist therefrom and take certain affirmative action, as set out in the copy of the Intermediate Report attached hereto. Thereafter, the American Federation of Musicians, herein called the AFM, and the respondent American Broadcasting Company, Inc., filed exceptions to the Intermediate Report; the respondent American Broadcasting Co., Inc., also filed a supporting brief. Oral argument, in which the respondents, the AFM, and National Association of Broadcasting Engineers and Technicians, herein called NABET, participated, was held before the Board at Washington, D. C., on March 6, 1945. The Board has reviewed the rulings of the Trial Examiner and finds that no prejudicial error was committed. The rulings are hereby affirmed. The Board has considered the Intermediate Report, the exceptions and briefs of the parties, and the entire record in the case, and hereby adopts the findings, conclusions, and recommendations of the Trial Examiner, with the exceptions, additions, and qualifications noted below:[1]

1. At the oral argument before the Board, counsel for the AFM conceded that unless the Board were to reverse its determination of the appropriate unit in the representation proceeding, the contentions of the AFM would constitute no valid defense to the respondents' refusal to bargain with NABET. No new evidence has been offered and no new arguments have been advanced relating to the issue of whether platter turners should be within a musicians' unit as claimed by AFM or, except in Chicago, within an engineers' and technicians' unit as determined by the Board in the representation proceeding. After full reconsideration of the issues we affirm our unit determination in this respect.

2. As part of their defense, the respondents inferentially base their refusal to bargain with NABET on the letters of January 27 and 28, 1944, which both the AFM and the respondents contend constitute valid contracts. However, at the representation proceeding and at the oral argument before the Board in the present proceeding, it was admitted that these alleged agreements had been made subject to our determination in a proper representation proceeding that platter turners, except in Chicago, would be included in a musicians' unit represented by the AFM.[2] Since we

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[1] The Trial Examiner found that the parties met for the last time on January 24 and that during this meeting the respondents unsuccessfully attempted to induce NABET to waive its jurisdiction over platter turners. The record shows and we find, that while the parties met again after January 24, 1944, the last time that the respondents attempted to induce NABET to waive its jurisdiction over the platter turners was at a meeting with NABET on January 24, 1944.

[2] The record in the representation proceeding contains the following statements:

MR. MCDONALD (Counsel for the respondent National Broadcasting Company, Inc.): . . . We discussed terms with Local 802 under which platter turners would be employed, provided the NLRB certified the AFM jurisdiction of platter turners, . . .

* * * *

MR. PADWAY (Counsel for the AFM): Well, I accept Mr. McDonald's explanation of it, that is all, and that saves a lot of time.

The transcript of the oral argument in the present proceeding contains the following statements:

MR. PADWAY: The contract of the musicians was about to expire. Conferences were had respecting . . . any other terms and conditions which would enter into the new contract; that the musicians made a formal demand for platter turners; that their demand was granted

(Continued on page 134)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

NLRB REBUKES PETRILLO

(Continued from page 133)

have determined that they should be included in a unit of engineers and technicians represented by NABET, this condition was never met. Accordingly, apart from any other considerations, we find that the letters of January 27 and January 28, 1944, do not constitute a valid defense to the respondents' refusal to bargain.

3. As a further defense to their refusal to bargain with NABET the respondents, as set forth in the Intermediate Report, rely upon the economic reprisals which the AFM threatened to put into effect if they recognized and bargained with NABET as the exclusive representatives for platter turners. We have fully considered the respondents' contention in this respect and, as we have previously held, we find that neither as a matter of law does it constitute a defense to the duty to bargain required by the Act nor in the exercise of our discretion do we regard it as a valid justification for such refusals.[3]

Order

Upon the entire record in the case, and pursuant to Section 10 (c) of the National Labor Relations Act, the National Labor Relations Board hereby orders that:

A. The respondents, National Broadcasting Company, Inc., and American Broadcasting Company, Inc., both of New York City, and their respective officers, agents, successors, and assigns, shall cease and desist from:

(1) Refusing to bargain collectively with National Association of Broadcast Engineers and Technicians as the exclusive representative of their respective employees in the respective appropriate units set forth in paragraphs B (1) and C (1) of this Order with respect to rates of pay, wages, hours of employment, and other conditions of employment;

(2) Engaging in any like or related acts or conduct interfering with, restraining, or coercing their employees in the exercise of their right to self-organization, to form labor organizations, to join or assist National Association of Broadcast Engineers and Technicians, or any other labor organization, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection, as guaranteed in Section 7 of the Act.

B. The respondent National Broadcasting Company, Inc., and its officers, agents, successors, and assigns, shall take the following affirmative action which the Board finds will effectuate the policies of the Act:

(1) Upon request, bargain collectively with National Association of Broadcast Engineers and Technicians as the exclusive representative of all technical employees, wherever located, of the engineering department of National Broadcasting Co., Inc., engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, in respect to rates of pay, wages, hours of employment, and other conditions of employment;

(2) Post in its studios at New York City; Chicago, Illinois; Washington, D. C.; Cleveland, Ohio; Denver, Colorado; and San Francisco, California, copies of the notice attached hereto, marked "Appendix A." Copies of said notice, to be furnished by the Regional Director for the Second Region, shall, after being duly signed by the respondent's representative, be posted immediately upon receipt thereof, and maintained by it for sixty (60) consecutive days thereafter, in conspicuous places, including all places where notices to employees are customarily posted. Reasonable steps shall be taken by the respondent to insure that said notices are not altered, defaced, or covered by any other material;

(3) Notify the Regional Director for the Second Region in writing, within ten (10) days from the date of this Order, what steps the respondent has taken to comply herewith.

C. The respondent American Broadcasting Company, Inc., and its officers, agents, successors, and assigns, shall take the following affirmative action which the Board finds will effectuate the policies of the Act:

(1) Upon request, bargain collectively with National Association of Engineers and Technicians as the exclusive representative of all technical employees, wherever located, of the engineering department of American Broadcasting Company, Inc., engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, in respect to rates of pay, wages, hours of employment, and other conditions of employment;

(2) Post in its studios at New York City; Chicago, Illinois; San Francisco, California; and Los Angeles, California. copies of the notice attached hereto, marked "Appendix B." Copies of said notice, to be furnished by the Regional Director for the Second Region, shall, after being duly signed by the respondent's representative, be posted by the respondent immediately upon receipt thereof, and maintained by it for sixty (60) consecutive days thereafter, in conspicuous places, including all places where notices to employees are customarily posted. Reasonable steps shall be taken by the respondent to insure that said

---

subject to whatever might be determined by the National Labor Relations Board.

* * * *

MR. MCDONALD: Gentemen of the Board, in answer to Judge Padway's question I would like to state that it is my understanding that the letters given in January of 1944, were, of course, subject to any decision that this National Labor Relations Board might make, but he (sic) letter of N.B.C. did not specifically so state. I regarded it as an implied condition . . .

[3] *Matter of Gluek Brewing Co.,* 47 NLRB 1079, 1093, enf'd 144 F. (2d) 847 (C.C.A. 8); *Matter of McQuay Norris Manufacturing Company,* 21 NLRB 709, 717, enf'd 116 F. (2d) 748 (C.C.A. 7), cert. denied 313 U. S. 565; *Matter of Star Publishing Company,* 4 NLRB 498, enf'd 97 F. (2d) 465 (C.C.A. 9); *Matter of Isthmian Steamship Company,* 22 NLRB 689, 699, enf'd 126 F. (2d) 598 (C.C.A. 2); and *Matter of Walgreen Company,* 44 NLRB 1200, 1214.

notices are not altered, defaced, or covered by any other material;

(3) Notify the Regional Director for the Second Region in writing, within ten (10) days from the date of this Order, what steps the respondent has taken to comply therewith.

Signed at Washington, D. C., this 31st day of March 1945.

HARRY A. MILLIS,
Chairman.

GERARD D. REILLY,
Member.

JOHN M. HOUSTON,
Member.

(SEAL) NATIONAL LABOR RELATIONS BOARD

FCC ELEVATES HYDE

Rosel H. Hyde, longtime FCC assistant general counsel, has been named by the Commission to fill the post of General Counsel vacated by Charles R. Denny who was sworn in as Commissioner last Friday.

Appointment of Vernon L. Wilkinson of the Lands Division, Department of Justice, to succeed Mr. Hyde as assistant general counsel in charge of broadcasting was announced at the same time. Leonard H. Marks was moved up to the post of assistant to the general counsel.

Marks fills the position vacated last fall by Peter Shuebruk, and in assuming his new duties leaves behind him the position of chief of the New Facilities Division.

8TH DISTRICT MEETING

Concluding a series of 18 district meetings, broadcasters of the 8th NAB District (Michigan-Indiana) convened in Detroit on Monday and Tuesday (2-3). District Director John E. Fetzer, WKZO, presided and introduced J. Harold Ryan, NAB President. Mr. Ryan occupied nearly the entire morning session in a detailed review of NAB activities and objectives. In the absence of John Morgan Davis, General Counsel, Mr. Ryan also covered the labor relations activities of the Association.

The afternoon session of the first day was given over to a presentation of the Broadcast Measurement Bureau. President Hugh Feltis was aided by Otto Stadelman of Needham, Louis and Brorby. In addition Joe Neebe, Vice President of Campbell-Ewald, likewise presented the agency viewpoint, assisted by M. A. Hollinshead, Radio Director of Campbell-Ewald. Horace Stovin, a member of the Board of the Bureau of Broadcast Measurement, the Canadian organization which parallels BMB, and Walter Elliott, BBM Research Counsel, who were guests at the meeting, told of the progress of the Canadian organization. A full account of the results will be published in an early BMB bulletin.

Following the BMB presentation, Director Fetzer who is serving as Assistant Director of Censorship in Charge of Radio, outlined problems incident to censorship. Al H. Lewellen of the Cleveland office of OWI, told of the plans for allocation which lie immediately ahead. The afternoon session was concluded by a presentation in behalf of the NAB Program Directors Committee by Carl Vandergrift, Program Director of WOW.

Those attending the meeting were guests of WJR at a reception following the afternoon session.

At the morning session of the second day, Robert Mason, WMRN, Chairman of the NAB Small Market Stations Committee, presided over a panel dealing with that subject. Owen Uridge, WJR, 8th District Chairman of the Sales Managers Committee, presided over a sales session at which Lewis H. Avery and Helen Cornelius of the NAB Broadcast Advertising Department discussed various sales problems. Miss Cornelius dealt largely with problems incident to retail radio advertising.

This morning's session ran over slightly into the afternoon session which was concluded with a report by the Resolutions Committee made up as follows: Howard Loeb, WFDF, John O'Harrow, WKZO, and George Jackson, WBOW. The following resolutions were unanimously adopted:

WHEREAS the 8th District of the National Association of Broadcasters, assembled in Detroit, Michigan, the second and third day of April, 1945, has given careful consideration to the proposed plan of the newly organized Broadcast Measurement Bureau, and

WHEREAS the plan has received the hearty endorsement of a large majority of the 8th District broadcasters, now, therefore

BE IT RESOLVED that the officers and directors of the Broadcast Measurement Bureau be given a vote of confidence and thanks for their accomplishments to date, and

BE IT FURTHER RESOLVED that the 8th District broadcasters be furnished with all available details of the plan before it is put into operation, so that additional suggestions may possibly be made by subscribing stations.

* * * * *

WHEREAS the broadcasters of the 8th NAB District wish to recognize the services rendered to the broadcasting industry by certain individuals, now, therefore

BE IT RESOLVED that the entire body expresses its appreciation for the untiring efforts of J. Harold Ryan during his term of office as President of NAB; to Hugh Feltis, President of BMB, for his diligent work in establishing an understanding of the new Measurement Bureau plan; to John Fetzer for his work in the Office of Censorship as well as in his directorship of the 8th NAB District; to Lewis H. Avery, Director of Broadcast Advertising, Helen A. Cornelius, Assistant Director of Broadcast Advertising of NAB, and to Robert T. Mason of WMRN, Marion, Ohio, Chairman of the Small Market Stations Committee for their contributions to the field of broadcast advertising.

9TH DISTRICT MEETS

Broadcasters of the 9th District (Illinois and southern Wisconsin) reelected Leslie C. Johnson, WHBF, as District Director for the ensuing two-year term. The action was taken at the closing session of a two-day meeting held in Chicago on Thursday and Friday (March 29-30).

The first morning of the meeting was devoted to a review of NAB activities and objectives by J. Harold Ryan, NAB President. He was followed by John Morgan Davis, NAB General Counsel, who outlined plans for a more complete service on employer-employee matters by NAB.

The broadcasters in the district responded promptly and enthusiastically to the presentation of the Broadcast Measurement Bureau plan by Hugh Feltis, BMB President, at the afternoon meeting on the first day. At the end of the meeting, 88 per cent of those registered had signed.

The session on the second morning opened with a discussion of engineering problems led by Oscar C. Hirsch of WKRO and KFVS, District Chairman of the NAB Engineering Committee. Mr. Hirsch talked at length on the limited channels available for relay broadcasting and reviewed the resolution on the subject which he had submitted to the Resolutions Committee. (See end of report for text of resolution.)

One of the most interesting analyses of public relations delivered at any of the district meetings was presented by Edward E. Lindsay of WSOY, District Chairman of the NAB Public Relations Committee. From his background of several years as a newspaper editor and three years as a radio station manager, Mr. Lindsay brought the problem of good public relations into sharp focus from this dual point of view.

The Small Market Stations Panel was presided over by

Robert T. Mason of WMRN, Chairman of the NAB Small Market Stations Committee. His presentation included a review of the work of this committee since its organization in June, 1943, and a transcribed program outlining the opportunities and obligations of small market stations.

Hugh K. Boice, Jr., of WMBD, District Chairman of the NAB Sales Managers Committee, directed the Sales Managers Clinic, during which Lewis H. Avery and Helen A. Cornelius spoke. On a show of hands, the broadcasters present endorsed the so-called continuing renewal clause by a vote of nine to two.

Acting upon the recommendations of the Resolutions Committee, resolutions were adopted as follows: One, reciting the fact that the Treasury Procurement Division is placing a schedule of advertisements in newspapers for disposal of surplus property and is asking that this same service be performed by broadcasters as a public service, called upon the NAB Board to seek equal treatment for radio broadcasters in this respect.

A second resolution called for a change in Section 3,409 of the FCC Rules and Regulations to eliminate the provision requiring the station to keep on file the names and addresses of officers and directors of organizations and companies from whom scripts are received.

A third resolution commended the BMB plan for a standard method of measuring station coverage and called upon all broadcasters to pledge their unanimous support to the enterprise.

The need for some protective statute in each state to protect broadcasters against libel and slander suits was recognized in a fourth resolution. It called upon the NAB to exert its efforts and influence to the end that broadcasters in each NAB district should seek legislation in their respective states which will provide adequate protection against libel and slander in matters beyond the control of the broadcaster.

Petrillo and his platter-turner demands came in for a strong resolution on the part of these 9th District broadcasters. They reiterated their condemnation of the "made work" principle. They called upon all broadcasters and the networks to coordinate their activities with respect to matters involving a precedent in labor relations and asked that the fullest disclosure and industry-wide discussion of labor problems be given.

An engineering problem was the subject of another resolution unanimously endorsed by the meeting. It dealt with the subject of relay broadcasting, commended the NAB and Panel 4 of RTPB for the stands taken in behalf of the allocation of an adequate number of frequencies for the exclusive use of the radio broadcasting industry for relay broadcasting. The resolution further demanded the elimination of the rules prohibiting the use of relay broadcasting when wire facilities are available.

The efforts of the Board of Directors of NAB and the Labor Executive Committee in working to improve the service in the field of employer-employee relations rendered by NAB was highly commended. The resolution called for an effective, well-staffed Labor Department with sufficient funds to insure successful operation and service. They further urged a well-planned educational effort to secure the whole-hearted cooperation of all members to the end that the Labor Department could function efficiently and constructively.

Music copyright came in for attention in a resolution which pointed out that ASCAP and BMI, the two major sources from which radio now draws its supply of music, are operating under consent decrees, the terms of which require clearance at the source, and that other music licensing organizations are not so obligated. It was resolved that effort be made through NAB to prevail upon all music licensing groups not now licensing at the source to do so.

A final resolution adopted read as follows:

"*Whereas* the affairs of NAB have progressed and prospered under the sound administrative ability of J. Harold Ryan as president, *therefore*,

"*Be It Resolved* that the broadcasters of District 9 here express their appreciation of President Ryan's constructive leadership; their regret that he has determined to retire from the presidency, and their well wishes to him on his return to the biggest job of all, the role of a successful radio broadcast station operator."

FLORIDA BROADCASTERS MEET

Announcing that one of its major policies for the coming year would be whole-hearted cooperation in favoring BMI music for the coming and ensuing years, the Florida Association of Broadcasters held their annual meeting in Jacksonville on March 21.

The following officers were elected to serve for 1945-1946: President—James M. LeGate, WIOD, Miami; First Vice-President—Glenn Marshall, Jr., WFOY, St. Augustine; Second Vice-President—G. G. McBride, WDBO, Orlando; Secretary-Treasurer—Fred Mizer, WQAM, Miami (elected for third term); First Director—Jack Hopkins, WJAX, Jacksonville; Director—Teresa M. Myers, WTAL, Tallahassee; Director—S. O. Ward, WLAK, Lakeland.

MILLER INTRODUCES BILLS AFFECTING UNIONS

Rep. Arthur Lewis Miller (R), Nebraska, has introduced two bills in the U. S. House of Representatives, one of which would make illegal "check-off" payments and the other of which would make illegal "royalty" payments.

The text of H. R. 2818 is as follows:

A BILL

To Make Unlawful Certain Contracts and Practices in Connection with Labor Relations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any agreement hereafter entered into between an employer and a labor organization, under which such employer undertakes to deduct from any employee's compensation any sum to be paid by such employer to such labor organization as membership dues of such employee, shall be unlawful.

(b) It shall be unlawful for any labor organization to demand or accept from any individual, not a member thereof, payment of any amount in consideration of the granting to such individual of a permit to work for any employer.

(c) Whoever enters into an agreement made unlawful by subsection (a), or violates the provisions of subsection (b), shall upon conviction thereof be punished by a fine of not to exceed $.

Sec. 2. As used in this Act—

(1) The term "employer" means an employer engaged in commerce or in the production of goods for commerce.

(2) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(3) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

The text of H. R. 2819 is as follows:

A BILL

To Make Unlawful Certain Agreements Providing for Payments by Employers to Labor Organizations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any agreement hereafter entered into between an employer and a labor organization, under which such employer is obligated to pay to such labor organization any amount or amounts in consideration of any undertaking, concession, or commitment made by such labor organization with reference to the performance of work or services by members of such union, shall be unlawful.

(b) Whoever enters into a contract made unlawful by subsection (a) shall upon conviction thereof be punished by a fine of not to exceed $.

Sec. 2. As used in this Act—

(1) The term "employer" means an employer engaged in commerce or in the production of goods for commerce.

(2) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(3) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

RADIO NEWSMEN TO ATTEND SAN FRANCISCO PARLEY IN RECORD NUMBERS

The following letter from Richard Harkness, President, Radio Correspondents Association, has been received by Bruce Starkey, Chief, NAB News Bureau:

Dear Mr. Starkey:

I want to thank you for your cooperation in presenting the request for registrations for the United Nations Security Conference at San Francisco. We have received more than 30 individual applications—which is very large for radio news coverage of such an event by individual stations.

I note that more than one-third of these requests were in response to the notice which the NAB sent out. Every member of our organization appreciates this, and I am sure that we will take advantage of your offer to cooperate in similar matters in the future.

Very truly yours,

(Signed) Richard Harkness, *President*,
Radio Correspondents' Association.

"LET'S GO TO TOWN" SHOWS DRAW PRAISE

Leslie Johnson, general manager, WHBF, Rock Island, Illinois, and NAB Director of District No. 9, got the surprise of his life, last week, when he heard from two Rock Island boys, both well known to him, who reported on the locally produced "Let's Go to Town" show.

Ensign Hugo Birkhahn, from aboard ship, somewhere in the Pacific, said: "It was the next best thing to being right at home."

Sgt. Edward Wisley, radio-gunner, caught the show just after he had returned from a mission. "I thought I had ear trouble," he wrote. ". . . the show was really a shot in the arm . . . morale boosted 100%."

Cpl. Lloyd C. Carlson, Moline, wrote from a base hospital in England: ". . . was really one of the big thrills of a lifetime."

"Best Thing in 2½ Years Away from Home"

Bob E. Hall, USN, Tulsa, former radio entertainer, wrote Allan Page, program director, KVOO, and Task Force Commander, that the Tulsa show was the best thing he had heard during his 2½ years absence from Tulsa. ". . . I got a feeling that I could never put into words. As the program moved along on the tour of familiar sounds, it seemed as though I were once again making those rounds myself," he said.

"Are You from New Bedford, Mate?"

When Leonard Allan Ashworth, acting chief mate in the Merchant Marine, was two days out of England, United States-bound, the radio operator yelled: "Are you from New Bedford, Mate?" "Sure." "Well, put on your earphones and listen." And then the New Bedford man heard the "Let's Go to Town" program made by WNBH.

He heard the looms at the Wamsutta mill, cans in the tinning room at the Aerovox, the High School band playing "On New Bedford," the girl cheer leaders, and other New Bedford familiar sounds, including traffic at Union and Pleasant streets and a sports summary.

"A Funny Feeling Welled Up Inside"

". . . when suddenly I heard the words 'Continental Wood Screw,' my ears started to flop and I took the whole thing in from there. . . . What a funny feeling welled up inside of me—and I'm not fooling. The sound of the St. Lawrence Church—with my own two children living but two blocks away from it—you sure hit a lot of tender spots. . . ."

Those are quotes from another letter received by WNBH from somewhere in the Pacific.

"Frank and Jake Heard It, Too"

Frank and Jake, U. S. Coast Guard L.S.T. (764), from somewhere in the central Pacific wrote WNBH:

". . . What brought memories back to both of us was when the announcer connected the program to hear the street cars and noise in the city; the first noise we heard was the Lunds Corner street cars bell, and we actually felt that we were riding in the streetcar as a civilian again."

"On the Marianas, 9,000 Miles from Home"

Back in 1933, Sgt. Tom Stockley, 19th Fighter Squadron, AAF, was known as "The Cape Cod Ministrel" with a 15-minute show over WNBH. On March 22, he caught the New Bedford "Let's Go to Town" program way out on the Marianas, 9,000 miles from home. Hugh R. Norman, station manager, was the Task Force Commander.

"Many Hear Troy Program"

Pacific and European locations have provided a large number of listener verifications to Troy "Let's Go to Town" program, of which Woodbury Carter, assistant station manager, was Task Force Commander.

In addition, letters came from families of servicemen that were advised by sons, brothers and husbands of the broadcast. One soldier wrote to the "Troy Record" from the Philippines expressing his pleasure for the program and his letter was published in full.

Complete 5 More Global Shows

Completion of 5 more "Let's Go to Town" programs has been reported since last week. The Sacramento show was actually shipped to Los Angeles on January 22, but its completion previously has not been reported. The complete list follows:

DISTRICT III

Scranton, Wilkes-Barre..George D. Coleman, WGBI, *TFC

DISTRICT VIII

Evansville................Clarence Leich, WGBF, *TFC

DISTRICT IX

Decatur............Edward F. Lindsay, WSOY, *TFC

DISTRICT X

St. Louis..................John W. Tinnea, KWK, *TFC
(2 of 2 shows)

DISTRICT XV

Sacramento.................Leo Ricketts, KFBK, *TFC

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* Task Force Commander.

CRIPPLED CHILDREN MADE HAPPY BY WHIO COMICS

An avalanche of 20,000 comic books, cards, magazines and other items rolled into the offices of WHIO, Dayton, in response to a plea for these and other articles of interest for Barney Community Center, a Dayton institution for the care and education of crippled children.

Hearing of the happiness this activity was bringing to the Center, several other hospitals asked if they might be included in the program.

No adequate evaluation can be placed upon this work says WHIO. The handicapped children have been thrilled beyond measure with the joy of reading the funnies and with the beauty of the cards and pictures. Creative impulses have been stirred by the making of scrap books; idle hands and minds went to work with unusual zest. Unconsciously, the children are absorbing a knowledge and appreciation of art and beauty, and above this educational and pleasure value is the incalculably greater therapeutic value of busy hands and minds, and happy hearts.

"MANAGEMENT IN THE PUBLIC INTEREST" COMING OFF PRESS SOON

Inquiries have been received at NAB headquarters relative to the publication date of the industry's new public relations book, "Management in the Public Interest."

The 120-page volume will require an additional two weeks for completion and binding.

The first available bound volumes will be shipped to station managers, one to each station. Orders for extra copies will be filled soon after.

GOOD NEIGHBOR SUGGESTION

NAB has received a letter from Benjamin Edward Neal, president of the Good Neighbor Foundation, sponsors of *Good Neighbor Day.* Mr. Neal suggests:

"The second half of the war—in the Pacific—would end more quickly and the lives of many of our boys would be saved, if radio would prepare quickly to use station breaks, around the clock for twenty-four hours to tell America on the day after the defeat of Germany:

> "'I hear America calling me to duty until the last shot is fired. I will answer the call: I will carry my full share of the load to speed the coming of the day of enduring peace on earth. My heart is in America and America is in my heart! I am an American!'"

KGVO GIRL IN NEW GUINEA

Hermina Girson, former traffic manager of KGVO, Missoula, Montana, now with the Red Cross as an overseas secretary, has arrived in New Guinea for reassignment in the Pacific Theater of War, it was learned this week at the station.

DILLARD GETS PUBLIC RELATIONS ASSIGNMENT

Headquarters of the American Public Relations Association informs NAB that Everett L. Dillard, owner and operator of NAB FM member Station KOZY in Kansas City, Mo., two FM outlets in Washington, D. C., and General Manager, Commercial Radio Equipment Co., has been named by the APRA Board of Governors to a position on the National Advisory Committee, representing the activities of the Radio Division.

He will help spearhead association endeavor in the organization and promotion of public relations procedures in AM, FM and television fields and will serve in a key post in the association's cooperation with the public relations program of radio facilities throughout the nation.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 9. They are subject to change.

Monday, April 9

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Renewal of license, **580 kc.**, 5 KW, unlimited, DA-night.

Tuesday, April 10

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license, **1280 kc.**, 1 KW night, 5 KW day, unlimited.

Wednesday, April 11

NEW—Copper City Broadcasting Corp., Rome, N. Y.—C. P., **1450 kc.**, 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WBBL—Grace Covenant Presbyterian Church, Richmond, Va.—Granted request for 30 days extension of time within which to comply with the procedural conditions attached to the conditional grant for construction permit to change frequency, etc.

WRIV—Thomas Garland Tinsley, Jr., Richmond, Va.—Granted request for 30 days extension of time within which to meet the terms of conditional grant for a new station.

Chas. P. Blackley, Staunton, Va.—Granted request for 30 days additional time within which to comply with procedural conditions in conditional grant of new station.

WFTL—The Fort Industry Co., Miami, Fla.—Granted request to change call letters of station from WFTL to WGBS.

WLB—University of Minnesota, Minneapolis, Minn.—Granted request to change call letters of station from WLB to KUOM.

WHNC—Henderson Radio Corp., Henderson, N. C.—Adopted memorandum opinion granting modification of construction permit (pursuant to Commission's action on December 12, 1944, authorizing a new station to operate on **890 kc.**, 250 watts, daytime only), to make changes in antenna, transmitter site and studio location; and further ordered that a construction permit as thus modified be issued.

WMFR—Radio Station WMFR, Inc. (assignor), James E. Lambeth, et al., d/b as Radio Station WMFR (assignee), High Point, N. C.—Granted consent to voluntary assignment of license of station WMFR (and relay station WHPT) from Radio Station WMFR, Inc., to James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR, from a corporation to a partnership. No monetary consideration involved. (B3-AL-486)

WRBL—The Columbus Broadcasting Co., Inc. (assignor), J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co. (assignee), Columbus, Ga.—Granted consent to voluntary assignment of license of station WRBL (and relay stations WBLR and WJWC) from the Columbus Broadcasting Co., Inc., to J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co.—a newly formed partnership. No monetary consideration involved.

KICD—L. W. Andrews (transferor), Ben B. Sanders (transferee), Iowa Great Lakes Broadcasting Co. (licensee), Spencer, Iowa.—Granted consent to transfer to control of Iowa Great Lakes Broadcasting Co., licensee of station KICD, from L. W. Andrews, to Ben S. Sanders, through transfer of 309 (64.375%) shares of common stock and 120 (47.25%) shares of preferred stock, for a consideration of $19,000 less an amount by which accrued and current liabilities of licensee exceed accrued and current assets by more than $5,882 as at date of settlement. (B4-TC-429)

DESIGNATED FOR HEARING

KFNF—Henry Field (transferor), Midwest Broadcasting Co. (transferee), KFNF, Inc. (licensee), Shenandoah, Iowa.—Designated for hearing application for consent to transfer of control of KFNF, Inc., licensee of station KFNF, from Henry Field to Midwest Broadcasting Co. (B4-TC-430)

KFNF—KFNF, Inc., Shenandoah, Iowa.—Designated for further hearing in consolidated proceeding with application for transfer of control, the application for renewal of license of station KFNF.

LICENSE RENEWALS

Granted extension of following relay broadcast station licenses upon a temporary basis only, pending receipt and/or determination upon applications for renewal of license, in no event later than June 1, 1945:

KFBL and KFBM, Frontier Broadcasting Co., area of Cheyenne, Wyo.; WHMK and WJEK, Hagerstown Broadcasting Co., near Hagerstown, Md.; KBIB, The KANS Broadcasting Co., area of Wichita, Kans.; WAIE, Joe L. Smith, Jr., area of Beckley, W. Va.; WAAK, Radio Station WSOC, Inc., area of Charlotte, N. C.

Granted further extension of following relay broadcast station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1945:

KFAA, A. H. Belo Corp., area of Dallas, Tex.; KNED, Carter Publications, Inc., area of Ft. Worth, Tex.; WADA, Charleston Broadcasting Co., area of Charleston, W. Va.; WAUT, Evansville on the Air, Inc., Evansville, Ind.; KIEL, Fisher's Blend Station, Inc., area of Seattle, Wash.; WQER, Georgia School of Technology, area of Atlanta, Ga.; KAXY and KEJR, KGKO Broadcasting Co., area of Ft. Worth, Tex.; WAXJ, Lamar Life Insurance Co., area of Jackson, Miss.; KABF, McClatchy Broadcasting Co., area of Sacramento, Calif.; WABG, Memphis Publishing Co., area of Memphis, Tenn.; WAOE, Martin R. O'Brien, area of Aurora, Ill.; WAIN and WEKH, Peoria Broadcasting Co., area of Peoria, Ill.; KBTA and KBTB, Red River Broadcasting Co., Inc., area of Duluth, Minn.; WAXL, Jonas Weiland, area of Kinston, N. C.; WAIJ and WAIY, WIBX, Inc., area of Utica, N. Y.; WTNK, WOAX, Inc., area of Trenton, N. J.; WMWA, WOKO, Inc., area of Albany, N. Y.

WCBE—Columbia Broadcasting System, Inc., area of Charlotte, N. C.—Granted further extension of license of relay broadcast station, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than May 1, 1945. (B3-SRY-102)

Granted extension of licenses of following stations, upon a temporary basis only, pending determination upon applications for renewal of license, in no event later than May 1, 1945:

KADA, Ada, Okla.; KANS, Wichita, Kans.; WPAT, Paterson, N. J.; WJDX, Jackson, Miss.; WGBB, Freeport, N. Y.; WOMT, Manitowoc, Wisc.; WJMC, Rice Lake, Wisc.; WEDC, Chicago, Ill.; KBIZ, Ottumwa, Iowa; WTAX, Springfield, Ill.; WHIZ, Zanesville, Ohio; WHAI, Greenfield, Mass.; WFXM, San Bernardino, Calif.; KFUN, Las Vegas, N. Mex.; WLOK, Lima, Ohio; WSOC, Charlotte, N. C.; WJTN, Jamestown, N. Y.

MISCELLANEOUS

WSCC—Savannah Broadcasting Co., area of Savannah, Ga.—Granted license to cover construction permit authorizing a new relay broadcast station to be used with standard station WTOC; frequencies **30820, 33740, 35820** and **37980 kc.,** 2 watts. (B3-LRE-440)

The following applications for High Frequency (FM) broadcast stations were placed in the pending files in accordance with Commission policy of February 23, 1943:

The Crosley Corp., Washington, D. C.; WKBH, Inc., LaCrosse, Wisc.; Mobile Daily Newspapers, Inc., Mobile, Ala.; Hopkinsville Broadcasting Co., Inc., near Hopkinsville, Ky.; Henderson Broadcasting Co., Inc., Henderson, Ky.; UAW-CIO, Detroit, Mich., Los Angeles, Cleveland, Flint, Mich., Newark, N. J., Chicago, Ill.; Findlay Radio Co., Findlay, Ohio.

Scripps-Howard Radio, Inc., Cleveland, Ohio.—Placed in the pending files in accordance with Commission policy of February 23, 1943, application for new commercial television broadcast station.

Sacramento City Unified School District, Sacramento, Calif.—Placed in the pending files application for new noncommercial educational broadcast station.

Midstate Radio Corp., Utica, N. Y.—Petition to intervene in hearing on application of Copper City Broadcasting Co. passed over.

Utica Broadcasting Co., Inc., Utica, N. Y.—Petition to intervene in hearing on application of Copper City Broadcasting Co. passed over.

WMFF—Plattsburg Broadcasting Corp., Plattsburg, N. Y.—Granted petition to intervene in the hearing on application of the Brockway Company for a new station in Massena, N. Y.

Copper City Broadcasting Corp., Rome, N. Y.—The Commission on its own motion postponed the hearing now scheduled for April 11 to May 7, on application of Copper City Broadcasting Corp. for a new station in Rome, N. Y.

APPLICATIONS FILED AT FCC

910 Kilocycles

NEW—Valley Broadcasting Assn., Inc., McAllen, Texas—Construction permit for a new standard broadcast station to be operated on **910 kc.,** with power of 1 KW, unlimited hours of operation, and employing directional antenna day and night. AMENDED: to change location of transmitter from near McAllen, Texas, to near Edinburg, Texas.

1230 Kilocycles

WJBC—Arthur Malcolm McGregor, Dorothy Charlotte McGregor, and Hugh L. Gately, a partnership, d/b as Radio Station WJBC, Bloomington, Ill.—Involuntary assignment of license to Arthur Malcolm McGregor and Hugh L. Gately, a partnership, d/b as Radio Station WJBC.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Voluntary assignment of license to James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR.

WHPT—Radio Station WMFR, Inc., area of High Point, N. C.—Voluntary assignment of license to James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR.

NEW—The Corinth Broadcasting Co., Inc., Corinth, Miss.—Construction permit for a new standard broadcast station to be operated on **1230 kc.,** with power of 250 watts, and unlimited hours of operation.

KPHO—Phoenix Broadcasting, Inc., Phoenix, Ariz.—Acquisition of control of licensee corporation by Rex Schepp through purchase of 216 2/3 shares common stock (21 2/3%) from Central Newspapers, Inc.

1240 Kilocycles

WGBB—Harry H. Carman, Freeport, N. Y.—Modification of license to change hours of operation from share WFAS to unlimited time.

1300 Kilocycles

NEW—Broadcasting Corporation of America, N. of Brawley, Calif.—Construction permit for a new standard broadcast station to be operated on **1420 kc.**, with power of 1 KW, and unlimited hours of operation. AMENDED: to request **1300 kc.**, and power of 1 KW day and 500 watts night.

1330 Kilocycles

WFIN—Findlay Radio Co., Findlay, Ohio—Voluntary assignment of license to Fred R. Hover, tr/as Findlay Radio Company.

1450 Kilocycles

KFLW—Herald Publishing Co. of Klamath Falls, Klamath Falls, Ore.—Modification of construction permit (B5-P-3684 which authorized a new standard broadcast station) for changes in antenna and change of transmitter and studio locations.

NEW—Orangeburg Broadcasting Corp., Orangeburg, S. C.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unlimited hours of operation.

FM APPLICATIONS

NEW—Florida Broadcasting Co., Jacksonville, Fla.—Construction permit for a new high frequency (FM) broadcast station to be operated on **44700 kc.**, with coverage of 11,700 square miles. AMENDED: to change transmiter location from W. of Jacksonville, Fla., to Jacksonville, Fla.

NEW—United Broadcasting Co., Akron, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **47100 kc.**, with coverage of 4500 square miles.

NEW—Radio Broadcasting Corp., Twin Falls, Idaho—Construction permit for a new high frequency (FM) broadcast station to be operated on **48900 kc.**, with coverage of 2640 square miles.

NEW—Larus & Brothers Co., Inc., Richmond, Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43500 kc.**, with coverage of 17,898 square miles.

TELEVISION APPLICATIONS

NEW—United Broadcasting Co., Columbus, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #4 **(78000-84000 kc.)**, with ESR of 1030.

NEW—United Broadcasting Co., Akron, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #5 **(84000-90000 kc.)**, with ESR of 970.

MISCELLANEOUS APPLICATIONS

NEW—William Henry Alford, Winston-Salem, N. C.—Construction permit for a new developmental broadcast station to be operated on **48100 kc.**, with power of 160.7 watts and A3 and FM emission.

NEW—Fred R. Hover, tr/as Findlay Radio Co., area of Findlay, Ohio—Construction permit for a new relay broadcast station to be operated on **30820, 33740, 35820, 37980 kc.**, with power of 25 watts, A3 emission.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Century Travel Service, Inc., 655 Fifth Ave., New York, and Harry Craig Cooper and Joseph C. Cooper, Jr., brothers residing at 1016 Fifth Ave., New York, are charged in a complaint with misrepresentation in connection with the sale of so-called "packaged tours," which are travel trips, at an all-inclusive price, and include transportation, hotel reservations, baggage and passenger transfers between terminals and hotels, sight-seeing trips and other incidental services. The brothers are copartners and trade as Century Travel Service, Century Travel Service Deluxe Tours, Mexican Advisory Tourist Bureau and Florida Advisory Hotel Bureau. (5299)

Mid-West Research Laboratory, 3806 Floyd Ave., Sioux City, Iowa, engaged in selling serums and medicinal preparations for poultry and domestic animals, is charged in a complaint with misrepresenting its business status. The complaint alleges that the respondent, by selling its preparations under the corporate name of Mid-West Research Laboratory, and by using such name on its stationery and in advertising, represents, when such is not a fact, that it owns, operates or controls a "research laboratory" or a "laboratory" within the common and usual meaning of the words. (5300)

Mirra Chemical Laboratories, 198 East Long St., Columbus, Ohio, is charged in a complaint with misrepresentation in connection with the sale of a moth preventive product designated "Mirra Moth Immunizer" or "Mirra Moth Carverizer." They also sell a cleansing compound under the name "Mirra All Purpose Soapless Household Cleaner." (5301)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

American Biochemical Corp.—A stipulation to discontinue misrepresenting the therapeutic properties of a medicinal preparation designated Paracelsus has been entered into by American Biochemical Corp., Hanna Building, Cleveland, Ohio. (3266)

Allied Radio Corp., et al.—Two Chicago corporations and a Washington, D. C., firm entered into stipulations to discontinue misrepresenting the tube capacity of certain radio sets they sell in interstate commerce.

Those entering into the stipulations are Allied Radio Corp., 833 West Jackson Blvd., Chicago; Nathan N. Wallack and M. D. Montague, trading as Star Radio Co., 409 Eleventh St. N. W., Washington, D. C.; and Spiegel, Inc., 1061 35th St., Chicago. They agree to cease and desist from representing that any radio receiving set contains a designated number of tubes or is of a designated tube capacity when one or more of the tubes referred to do not perform the recognized and customary functions of radio receiving set tubes in the detection, amplification and reception of radio signals. (03262-03263-03268)

A & N Trading Co., Inc., 8th and D Sts., N. W., Washington, D. C., stipulated that it will cease and desist from advertising, labeling or selling merchandise under any representation implying that such merchandise was manufactured for the armed forces or under Army or Navy specifications, unless it is regulation Army or Navy merchandise. (3999)

Berosol Products, Rockaway Beach, N. Y., entered into a stipulation to cease and desist from representing that the medicinal preparation he sells under the name "Mayr's" will prevent the absorption of toxic substances, relieve or correct indigestion or regulate the flow of bile, or that it is a stomach remedy. (03269)

Consolidated Trimming Corp.—A stipulation to discontinue misrepresenting the fiber content of thread designated "Silkso Twist" has been entered into by Consolidated Trimming Corp., 27 West 23d St., New York. (4004)

Exelento Medicine Co., Atlanta, Ga., has entered into a stipulation to cease certain misrepresentations in connection with the sale of cosmetics. The company agrees that it will discontinue representing that Exelento Hair Pomade will produce lustrous hair or improve the hair, or be of any benefit to the hair other than to straighten it temporarily and produce temporarily a smooth, oily appearance; that Exelento Skin Ointment possesses healing action; or, by use of the word "Whitener" in the brand name of the preparation Exelento Temporary Skin Whitener, or otherwise, that the product will whiten the skin or give it a pale creamy complexion. (03266)

Knickerbocker Leather & Novelty Co., Inc., 19 West 18th St., New York, engaged in the manufacture and sale of advertising novelties and specialities, stipulated that it will cease and desist from representing, through the use of the words "Genuine Leather" or the word "leather," or other words or symbols of similar meaning, that merchandise sold by it and made from the inner split of leather is made from the outer split or any part of the hide or skin other than the inner split. (4007)

Lanteen Medical Laboratories, Inc., 900 North Franklin St., Chicago, stipulated that in the sale of a preparation designated Ex-teen it will cease representing that the product will relieve or overcome distressing psychic or disposition phenomena accompanying menstruation, such as depression, self pity, nervousness and irascibility, or that it will provide a stimulating effect. (03265)

J. Levine Co. and Georgia Mfg. Co., 449 Broadway, New York, stipulated that he will cease and desist from using the letters "Mfg." in his trade name, and from using any other abbreviation of the word "Manufacturing" or any word of similar meaning, the effect of which tends to cause the belief that he actually owns and operates or directly and actually controls the plant in which are woven or manufactured the drapery fabrics which he sells. He also agrees to stop using the word "Guaranteed" or any other word of similar meaning in connection with the advertising or sale of his fabrics, unless clear and unequivocal disclosure is made in direct connection therewith of exactly what is offered by way of security; and to discontinue the use of any guaranty unless strict and complete performance be made therewith. (4003)

Modern Product, Inc. of America—Under a stipulation entered into Modern Products, Inc. of America, 1428 North 24th St., Milwaukee, agrees to cease and desist from making the following representations, among others, concerning certain vitamin, mineral and so-called health food products it sells in interstate commerce. (4001)

Lido Sportswear, Inc., 462 Seventh Ave., New York, engaged in the manufacture and sale of women's sportswear, entered into a stipulation to cease and desist from using the word "linen," either alone or in connection with the word "shantung," as descriptive of garments not made of flax, and from using such words in any other manner tending to convey the belief, when such is not a fact, that the fabric used in the manufacture of such merchandise is that product generally known as linen or flax. (4005)

Sullivan Co., 212 East Trigg Ave., Memphis, Tenn., entered into a stipulation to cease and desist from misrepresenting the effectiveness of products it advertises and sells as being capable of waterproofing concrete and masonry structures. (4000)

Vita-Man, et al.—Two stipulations to discontinue representing that the vitamin preparations they sell, each containing calcium pantothenate as its principal ingredient, are capable of preventing gray hair and of restoring the natural color to hair have been entered into by Henry Gottlieb, trading as Vita-Man, 175 East Broadway, Brooklyn, and The Carlay Co., 160 East Illinois St., Chicago. Gottlieb's preparation is designated Vita-Hair Tablets and the product sold by The Carlay Co. is known as Grayvita. (03267-03270)

Warner Trust, Boston, and associated concerns have entered into a stipulation to discontinue certain misrepresentations in connection with the sale of preparations and services known as the Warner Treatment for hair and scalp disorders. (3996)

Wiener & Wiener, et al.—Three New York manufacturers of fur garments have entered into stipulations to discontinue certain misrepresentations in connection with the sale of their products.

Abe Steisel, 208 West 30th St., New York, agrees to discontinue in his trade publicity, invoices or labeling the use of the term "Leopard Cat," or other words denoting leopard, to designate furs or fur garments made from peltries of South American spotted cats or of any animals or species other than the true leopard (4002).

Joseph Wiener and Max Wiener, trading as Wiener & Wiener, 312 Seventh Ave., New York (4006), and Abraham Katz and Philip Goldstein, trading as Katz & Goldstein, 115 West 30th St., New York (4008), stipulated that they will discontinue the use of the terms "Sealine," "Hudseal," "Beaverette" or any other fictitious animal designation or coined fur-connoting term as descriptive of their fur products.

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Bortz & Co., Trust Service Co., and Susquehanna Pen Co., Anderson, Ind., has been ordered to cease and desist from unfair and deceptive practices in connection with the sale of postcards, form letters and folders sold to creditors, collection agencies and attorneys for use in obtaining information concerning delinquent debtors. (4961)

Commercial Art Co., 720 East Diamond St., Pittsburgh, and Daniel G. Ries, trading as Progressive Portrait Co., 929 Fifth Ave., Pittsburgh, has been ordered to cease and desist from unfair and deceptive acts and practices in connection with the sale of colored enlargements of photographs and of frames therefor. Griffin formerly traded as American Arts. (5133)

Coast Fishing Co.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act has been issued against Coast Fishing Co., 621 So. Fries Ave., Wilmington, Calif., engaged in the packing, sale and distribution of canned sea food products, including tuna, mackerel and sardines. (5197)

Marine Products Co., 3370 Harasthy St., San Diego, Calif., has been ordered to cease and desist from violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of sea food products. (5137)

Norman Co., 169-173 Madison Ave., New York, has been ordered to cease and desist from shipping or delivering their merchandise to department stores and other retailers without previous agreement to purchase, for the purpose of inducing the purchase of their products. The respondents sell various items of merchandise, including lamps, shades and novelties. (3812)

Harry Steinberg—An order has been issued directing Harry Steinberg, 9 East 38th St., New York, to cease and desist from misrepresenting the quality of handkerchiefs sold in gift packages for members of the armed forces. (5212)

FTC CASES DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Club Razor & Blade Manufacturing Corp., 36 Green St., Newark, N. J., with misrepresentation in connection with the sale of safety razor blades.

The Commission has also dismissed without prejudice its complaint against S. H. Kress & Co., 114 Fifth Ave., New York, operating a chain of retail stores throughout the country; Vita-Var Corporation and its subsidiary, Beautykote Corporation, 46 Albert Ave., Newark, N. J.; and C. J. Robison, T. H. Gibson and E. G. Robison, officers of the two last named corporations.

The complaint had charged the respondents with misrepresentation in connection with the sale of shellac.

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 15, April 13, 1945

REGIONAL WLB DECIDES CHICAGO AFRA CASE

The National War Labor Board for Region VI (Chicago) has handed down its Directive Order in the matter of the Chicago radio stations (WJJD, WIND, WAAF, WAIT, WGES and WSBC) against the American Federation of Radio Artists affecting the principles of program fees. A full discussion of the pay-within-pay principle involved in this case was given before the NAB War Conference in Chicago in August 1944 by William J. Friedman who represented the Chicago stations as attorney in this case. A full copy of Mr. Friedman's remarks was published by NAB in the "Labor Addresses" pamphlet which was sent to all member stations. Additional copies are available upon request. Following is the Directive Order of the Regional WLB:

"I. The Regional War Labor Board for the Sixth Region, acting as the duly authorized agent of the National War Labor Board in the exercise of the powers vested in it by Executive Order No. 9017 of January 12, 1942, the Executive Orders, Directives and Regulations issued under the Act of Congress of October 3, 1942, and by the War Labor Disputes Act of June 25, 1943, hereby decides the dispute between the parties and orders that:

"1. The Union's request for a schedule of program fees for announcers is hereby denied.

"2. The Company shall institute a general increase of fourteen (14¢) cents per hour to all employees in the bargaining unit. Each employee shall receive a fourteen (14¢) cents per hour increase and all hourly rates in the classifications involved shall be raised by fourteen (14¢) cents per hour.

"3. The agreement between the parties with respect to vacations is hereby approved as follows:

"In addition to the two weeks granted to a staff announcer employed prior to December 31 of the calendar year preceding the vacation season, the Stations have agreed for one day of each of the following holidays upon which a staff announcer has been required to work: New Year's Day, Decoration Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, with the proviso that the Company may at its option, grant such days off within a twenty-eight (28) day period following the holiday, or may add such days, not in excess of five (5) days, to the vacation period whenever possible.

"4. The foregoing wage provision in paragraph 2 above shall be retroactive to November 1, 1943.

"Any employee who has either quit or been discharged between the retroactive date established by this Directive Order and the date of this Order shall receive the amount of the increase for his classification up to the date on which his employment with the Company terminated. The Company and the Union shall promptly send a joint letter to each such employee at his last known address advising him of his rights under this provision. The employee must mail his written application for retroactive pay to the Company within sixty days after the date of mailing of the joint letter. The Company may voluntarily make the payment in any case even though the sixty days have elapsed. The Company shall be obligated to make the payment if good cause is shown for the application being delayed beyond the sixty days. Failure to make the payment where good cause for the delay is alleged may be taken up by the Union as a grievance. The sixty-day limitation shall not apply to employees who have become members of the armed forces of the United States, either before, or within sixty days after, the mailing of the joint letter.

"II. The foregoing terms and conditions of employment shall govern the relations between the parties and shall be incorporated in a signed agreement reciting the intention of the parties to have their relations governed thereby, as ordered by the National War Labor Board.

"III. This Order shall stand confirmed as the Order of the National War Labor Board and, unless otherwise directed by the National War Labor Board, shall take effect 14 days from the date hereof unless in the meantime a petition for review is filed with the National War Labor Board through the Sixth Regional Board, in which event this Order shall be suspended until disposition of the petition for review, unless the National War Labor Board otherwise directs or has otherwise directed, or the parties otherwise agree. Notwithstanding any other provisions of this paragraph, that part of this Directive Order which continues in effect the terms and conditions of a prior contract which has expired or has been otherwise terminated, shall not be suspended or stayed by the filing of a petition for review but shall be effective according to its terms unless and until the Board upon consideration of a petition for review otherwise directs.

"IV. Nothing in this Order is intended to prevent the parties from agreeing upon the date when the Order or any part thereof shall take effect (subject only to the provisions of paragraph V) and in the event a petition is filed with the National War Labor Board through the Sixth Regional Board seeking review of portions of this Order, either party may request the Regional War Labor Board to make the remaining portions of the Order immediately effective.

"V. If a timely application for price relief has been filed with the Office of Price Administration as required by Executive Orders No. 9250 and 9328, as supplemented by the Directive of May 12, 1943, the provisions of this Directive Order which are made the basis for the application shall in any event become effective only upon determination by the Office of Price Administration that the increases ordered will not require any change in price ceilings or, if no such determination is made, then upon approval by the Director of Economic Stabilization. The parties will be promptly notified of such action.

FOR THE PUBLIC
/s/ John D. Larkin
/s/ Philip Marshall

FOR INDUSTRY
/s/ Howard D. Grant
/s/ C. B. Magrath

FOR LABOR (dissenting with respect to denial of schedule of program fees for announcers)
/s/ Howard Ream
/s/ Peter Hoban"

It will be noted that the labor representatives on the Regional Board dissent from that portion of the opinion which denied the pay-within-pay principle of program fees to announcers.

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

ENEMY STILL LISTENS

Warning that the enemy still is listening to learn time, place and method of future attacks, and that "success of voluntary censorship depends on continued vigilance," the following note to broadcasters and editors from Byron Price, Director, has been released by the Office of Censorship:

"With the war in Europe at its critical stage and the war in the Far East building up in fury and significance, I take this means to remind you that the success of voluntary censorship depends on continued vigilance.

"The enemy still is listening to learn the time, place and method of future attacks, the sequence of operations, and the strength, technical make-up and equipment of our attacking forces.

"We must take particular pains to protect troop and ship movements. In this connection you are reminded again of the Code stipulation that letters from combat zones are censored at the source for private circulation only and should not be published if they will inform the enemy about military operations.

"American communities still may suffer from enemy attack in one form or another. With his bases so far away, the enemy will never know where his shots are falling, or how to correct his operations, unless we tell him.

"Reports or discussion of expectations or probabilities involving future war plans may be of great value to the enemy. For example, published or broadcast speculations or statements regarding the probable intentions of Soviet Russia toward Japan, however erroneous they might prove to be, could possibly lead to a Japanese attack on Russia. Whether such a speculation or prediction were true or false, the military interests of the United States would be damaged and the war's sacrifice of American life might be prolonged. Please weigh the consequences and consult the Office of Censorship.

"New American secret weapons are coming into use constantly. The best course is to let the enemy learn about them in combat. This whole subject must be approached with extreme care if we are to conceal the vast developments which are taking place in scientific fields. It is far safer to consult Censorship.

"Voluntary censorship has enlisted for the war, not just to help achieve a partial victory. Your steadfastness, which has meant so much for so long, is solicited earnestly until the day when all hostilities are over, and all censorship can be brought to its unlamented end."

PROGRAMS FROM HOME "THRILL" OUR FIGHTERS

Letters in appreciation of "Let's Go to Town" programs continue to reach stations. Letters to Buffalo and Springfield, Ill., stations are presented today.

Two Buffalo shows have been broadcast. That produced by Task Force Commander C. Robert Thompson, WBEN, director, was the first to hit the global airways. Four to five weeks later the program produced by Task Force Commander Cy King, director, WEBR, was released globally. Here are some of the highlights from letters received at WBEN:

"I'm Getting a Lump in My Throat"

". . . Well guess what! A program just came in transcribed from Buffalo! And Bob Armstrong's orchestra is now beating it out. It's for Buffalo service men overseas and the guys from Buffalo here are all enthused about it and have their ears glued to the phones and the speakers. Clint Buehlman master of ceremonies. Here comes a Buffalo street car No. 8, what a racket. I hear Niagara Falls now. Wow, I'm getting a lump in my throat. I'm gonna quit and just listen for awhile, Mom. Love to you all." . . . From an artilleryman.

Heard "Even in the Reich"

". . . My brother said he was very happy to hear a program from his home town—Buffalo; he is also very happy about the little trouble he's causing those Germans; and he and the 9th Air Force intend to give them exactly what they deserve before he comes home." . . . From sister of member of the 9th Air Force.

Like Being Home for 30 Minutes

The mother of a son stationed in Luxembourg wrote that "All of a sudden a program came on from Buffalo. He said it was like being home for 30 minutes, and, that after two years away, that was something! I bet many a Buffalo boy was thrilled!"

Program Took Him Out of the Dumps

From a hospital in England, a Buffalo boy wrote: "I never heard of a guy being happy to be in a hospital, but I'm glad I was there this afternoon. Otherwise I'd never have heard that program (Buffalo). . . . I was getting a little down in the dumps but that program pepped me up plenty."

Brings Home Right to the Rhine

Letters have just begun to reach WEBR. A Buffalo boy wrote the station: ". . . I heard Cy King, Ed. Wegman, Dave Cheskin's orchestra, Bob Armstrong's orchestra and a description of Lafayette Square, pigeons and all. They even had Niagara Falls on the air. It sure was swell to hear a program like that. It practically brings home right to the Rhine River. I was really lucky I heard it and all I've been doing since then is whistling 'Shuffle Off to Buffalo.' "

Wants More of the Same

Another Buffalo boy heard both programs. He wrote: "As I sat in the crew's quarters of this ship of ours, I could actually see that No. 8 street car going down Main Street. . . . If possible, more of the same would be appreciated. . . . What a treat it was to hear the voices of Clint Buehlman, Cy King, the Three Treys, and the music of Dave Cheskins and Bob Armstrong."

Letters Are Big News in Springfield

The Springfield, Ill., "Let's Go to Town" program produced by WCBS ano WTAX, under direction of Task Force Commander L. G. Pefferle, brought thrills to a great many men in the armed forces overseas. And on top of it, the fact of the pleasure and satisfaction in the show was brought home to parents and friends of the men through the cooperation of the *Illinois State Register* and the *Illinois State Journal.* Carroll W. Neeld, general manager, WCBS, has collected and forwarded an impressive brochure of clips to prove the point.

V. Y. Dallman, editor of the *Register*, writes a daily column, "Lighter Vein," and in it he reproduced and commented on many of the letters of commendation J. Emil Smith, editor of the *Journal*, and publisher of both papers, was also helpful in spreading the good news.

Letters started for Springfield, to parents, friends, and stations, about the first of February from all fighting fronts. The two first were from a Navy officer aboard ship in the Pacific and from a soldier in China. Then in rapid sucession came a letter from the First Army battle area, in Germany; from an aviation technician of a fighter squadron; from England, Scotland, France, Holland, Italy. One soldier reported hearing the show during the lull in the battle against the Germans; a pilot flying the "Snowball Airline," of the North Atlantic Wing of the Army Air Transport Command, caught the show in the air out over the Atlantic. He wrote:

"I almost fell out of my seat when I heard my hometown—Springfield—on the air! Immediately I had the whole crew listening, as hometowns come in for a lot of good natured kidding in the Army. I can truthfully say I was top man that night."

Akron and Philadelphia Complete Global Shows

Since last week two more "Let's Go to Town" programs have been completed as follows:

DISTRICT III

Philadelphia................Leslie W. Joy, KYW, *TFC

DISTRICT VII

Akron.................Allen T. Simmons, WADC, *TFC

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* Task Force Commander.

PEPPER AGAIN PROPOSES PERMISSION TO BROADCAST CONGRESSIONAL PROCEEDINGS

In a new proposal (S. J. Res. 55) Senator Claude Pepper (D) Florida would change the House and Senate Rules to permit the broadcasting of any Proceedings on the Floor or of open hearings before Congressional Committees. Senator Pepper's Resolution specifically provides "That no station or network shall be required to broadcast any procedeings."

The text of the Resolution:

"Joint Resolution

"Authorizing the broadcasting of the proceedings of the Senate and the House of Representatives.

"Whereas during the coming months and years most of the major social, economic, and political issues of the United States and of the world will be debated by the Congress of the United States; and

"Whereas the interests of every citizen are vitally affected by these proceedings and their outcome; and

"Whereas there has been mounting public interest throughout the country in the proceedings of the Senate and the House of Representatives; and

"Whereas the proceedings of the Senate and the House of Representatives are of necessity presented only in brief extracts or summaries by newspapers and news broadcasters, with the result that issues and the stands taken by Senators and Representatives are frequently misunderstood; and

"Whereas radio broadcasting makes it possible to bring the proceedings of the Senate and the House of Representatives directly to the people of the Uinted States: Therefore be it

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

"That radio broadcasting stations and radio broadcasting networks are hereby authorized to broadcast any proceedings on the floor of the Senate or of the House of Representatives or before any committee of the Senate or House of Representatives, unless the Senate or House of Representatives or the committee affected shall otherwise order: *Provided, however*, That no station or network shall be required to broadcast any proceeding.

"That the Architect of the Capitol is authorized and directed to make such arrangements as may be necessary to make available the proceedings of the Senate and the House of Representatives for broadcasting by stations and networks; and

"That the Architect of the Capitol is further authorized and directed to install such recordings or transcribing equipment as may be necessary to make a complete and continuous mechanical recording of the proceedings; and

"That the Architect of the Capitol is further authorized and directed to make available at cost copies of such mechanical recordings to broadcasting stations and networks desiring to broadcast them."

Pepper's previous bill, introduced in the 78th Congress (see NAB REPORTS, vol. 12, p. 280), did not authorize the broadcasting of the proceedings before Committees of the Senate.

CHAIRMAN FAIR SUGGESTS EXTRA BULLETIN COPIES FOR PROGRAM MANAGERS

Accompanied by a returnable form which would authorize NAB to address an extra of each Special Program Managers Bulletin to the station program manager, the following letter signed by Harold Fair (WHO), Chairman of the NAB Program Managers Committee, was sent on April 9th by NAB to all station managers:

"A course of instruction for your Program Manager would be pretty expensive, if it could be bought at all.

"The NAB Program Managers Committee is attempting to conduct such a course, at no expense to anybody, through the medium of Special Program Managers Bulletins, issued periodically with NAB Reports. Five have been issued to date, the fifth being an emergency announcement in connection with "Treasury Salutes," the remainder being of an instructive character.

"Only one copy of each Bulletin comes to your station. Why? Because it is the policy of the NAB to send all such matter to the attention of the accredited NAB representative of the station unless specific exception is made by said representative, usually the station manager. This is a policy which conforms to the desires of the majority of managers, and it has been proven wise in practice.

"But these Special Program Managers Bulletins are recommended for a separate binder, to be kept in the Program Department. To handle this conveniently, an extra copy should be sent addressed to the Program Manager.

"Will you therefore certify your Program Manager for receipt of an extra copy of each Special Program Managers Bulletin? Please fill in and return the enclosed blank. Thank you!"

RADIO
1920 - 1945
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KIWANIS RADIO WEEK, MAY 13-19

Kiwanis International, with 144,000 members in 2,260 clubs, has proclaimed May 13-19 "Kiwanis Radio Week" and plans to present a Certificate of Citation to every broadcasting station and national network in the United States and Canada in local club meetings during the week.

Special Twenty-Fifth Anniversary Bulletin No. 7, accompanying this issue of NAB REPORTS, gives complete details.

Broadcasters everywhere are urged to read this Bulletin carefully and to make plans for receiving this valuable recognition by one of the world's outstanding service organizations.

WAR BULLETIN ON 7TH WAR LOAN WITH THIS ISSUE OF REPORTS

A special War Bulletin on the 7th War Loan (May 14-June 30) is enclosed with this issue of REPORTS, carrying a message from NAB President, J. Harold Ryan, to Fellow Broadcasters.

In his message Mr. Ryan asks that everything be put on the line for the *Mighty Seventh* to facilitate the speedy ending of the European phase of the war and to further the prosecution of the war in the Pacific.

RYAN'S, PORTER'S, PEABODY ADDRESSES IN SPECIAL INFORMATION BULLETIN

Accompanying this issue of REPORTS is *Special Information Bulletin* No. 18 in which are reprinted in full the addresses of NAB President J. Harold Ryan, and FCC Chairman Paul A. Porter, featured speakers at the George Foster Peabody Radio Awards Presentation Dinner, Commodore Hotel, New York City on Tuesday April 10th.

The addresses by President Ryan and Chairman Porter were heard with great interest by a capacity attendance; entire proceedings were on the air over WNYC.

Formal presentations of 1944 Peabody Awards were made to previously announced selections, (NAB REPORTS, vol. 13, p. 116) among which were stations: WLW, Cincinnati; KFI, Los Angeles; WTAG, Worcester; WNYC, New York; WIBX, Utica; KOIN, Portland, Oregon; WFBL, Syracuse; KVOO, Tulsa; KMOX, St. Louis.

The four national networks shared in the honors.

EGOLF MEMBER OF A.F.A. COMMITTEE ON STANDARDS OF PRACTICE

Willard D. Egolf, NAB Director of Public Relations, has been appointed to membership on the Advertising Federation of America Committee on Standards of Practice.

The Committee is now at work promulgating new Standards of Practice for A.F.A. in collaboration with the National Association of Better Business Bureaus.

Remainder of the A.F.A. Committee is as follows: Henry Obermeyer, Assistant Vice-President, Consolidated Edison Company of New York, Chairman; Frank Braucher, President, Periodical Publishers Association; Gilbert T. Hodges, chairman, executive committee, The Sun; C. B. Larrabee, publisher, Printers' Ink; Charles E. Murphy, attorney-at-law and Federation general counsel; Allan T. Preyer, chairman of the board, Morse International, Inc.; Philip Salisbury, executive editor, Sales Management; Dorothy Shaver, vice president, Lord & Taylor.

The National Association of Better Business Bureaus has appointed the following committee to collaborate with the Federation group: Chairman, Warren Agry, advertising director, The American Home Magazine; Edward L. Greene, general manager, National Better Business Bureau; H. J. Kenner, general manager, Better Business Bureau of New York City, Inc.

The two committees are working together on the project, and have begun by analyzing existing codes and standards of advertising practice and reviewing all those adopted in former years, going back to the first "Declaration of Principles," promulgated in 1913 by the Associated Advertising Clubs of America, as the AFA was then known.

Egolf has been a Vice-President of A.F.A. since 1942, serving as Chairman of the Committee of Awards for Club Achievement and Chairman of the War Advertising Committee, which post he now holds.

CANCER CONTROL FUND DRIVE

The five-million fund drive of the American Cancer Control Society (April) will be assisted by cooperative radio and newspaper advertising.

Promotion material is offered to local sponsors without charge by 46 state organizations of the society and a series of spot announcement recordings will be used.

WHAS GOES TO SOURCE FOR INFORMATION ON LIVESTOCK LOSS

Louisville, Ky.—To secure for his regular farm service broadcasts information to help cut down rate of loss of livestock and livestock products due to improper handling, John Merrifield, WHAS Agricultural Co-ordinator, traveled to stockyards in the mid-west and in the east.

Daily reports and transcriptions of his findings were made to be used while he was en route and on later broadcasts.

At Kansas City and East St. Louis stockyards, where he was met by officials of the stockyards and of the railroads, Merrifield studied methods of loading and unloading, types of ramps, whips, prod poles and clubs used. To gain further information he rode two livestock trains, the Missouri Pacific express from Kansas City to East St. Louis, and the Pennsylvania from East St. Louis to Pittsburgh. En route he observed types of bedding used on cars, length of time stock was kept in cars without unloading for feed, water and rest; how stock was fed and watered, how stock was kept warm en route, and how hogs were cooled, and the number of head hauled in each freight car size. Slaughterhouse methods were studied and recorded at Pittsburgh.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 16. They are subject to change.

Monday, April 16

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); **1000 kc.**, 5 KW (main), 1 KW (auxiliary), unlimited.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); **950 kc.**, 5 KW main, DA-night, 1 KW (auxiliary), unlimited.

Tuesday, April 17

Further Hearing

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Renewal of license; **580 kc.**, 5 KW, unlimited, DA-night.

Wednesday, April 18

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license; **590 kc.**, 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license; **1510 kc.,** 10 KW, unlimited, DA-night.

Friday, April 20

WMC—Memphis Publishing Co., Memphis, Tenn.—Renewal of license; **790 kc.,** 5 KW (main), 500 watts (auxiliary), unlimited (main), (DA-night), auxiliary purposes only (auxiliary).

Federal Communications Commission Action

APPLICATIONS GRANTED

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted modification of construction permit which authorized increase in power, etc., for extension of completion date from 4-2-45 to 7-20-45.

WKBV—Central Broadcasting Corp., Richmond, Ind.—Granted license to cover construction permit which authorized increase in power to 250 watts, changes in transmitting equipment, and move of transmitter and studio (B4-L-1873). Also granted authority to determine operating power by direct measurement of antenna power. (B4-Z-1679)

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—Granted license to cover construction permit for new station to operate on **1340 kc.,** 250 watts, unlimited time (B3-L-1874). Also granted authority to determine operating power by direct measurement of antenna power (B3-Z-1680). The licensee hereunder is granted waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) That frequency checks by an external standard will be submitted to the Commission weekly; and (c) That approved frequency and modulation monitors will be installed as soon as such equipment becomes available.

WFVA—Fredericksburg Broadcasting Corp., Fredericksburg, Va.—Granted license to cover construction permit which authorized change in frequency to **1230 kc.,** and hours of operating to unlimited. Also granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1677; B2-L-1871)

WJHP—The Metropolis Co., Jacksonville, Fla.—Granted authority to determine operating power by direct measurement of antenna power. (B3-Z-1674)

WTMC—Ocala Broadcasting Co., Inc., Ocala, Fla.—Granted authority to determine operating power by direct measurement of antenna power. (B3-F-259)

WHKC—United Broadcasting Co., Columbus, Ohio—Granted license to cover construction permit which authorized change in frequency to **610 kc.,** increase in power to 1 KW, and change in hours of operation to unlimited, and installation of directional antenna for night use. (B2-L-1866) Also granted authority to determine operating power by direct measurement of antenna power.

WHKK—United Broadcasting Co., Akron, Ohio—Granted license to cover construction permit as modified, which authorized change in frequency to **640 kc.,** increase in power to 1 KW, and change in hours of operation to limited time, installation of DA for day and night use, and move of transmitter and studio, subject to condition that, on notice from the Commission, licensee shall take appropriate steps immediately, through modification of antenna or reduction of power, so as to reduce interference to Stations ZNS, Bahamas, and VONF, Newfoundland, to a value not in excess of that caused by WHKC with power of 500 watts, employing non-directional antenna. (B2-L-1867) Also granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1671)

W8XCT—The Crosley Corp., Cincinnati, Ohio—Granted modification of construction permit which authorized a new experimental television broadcast station, for extension of completion date from 4-28-45 to 10-28-45, subject to changes in frequency assignments which may result from proceedings in Docket #6651. (B2-MPVB-127)

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted petition for continuance of hearing on application for renewal of license, from April 10 to May 1, 1945.

DOCKET ACTION

The Commission (Commissioner Durr not participating), announces adoption of an Order (B-205) granting application for renewal of license of station WALB, Herald Publishing Co., Albany, Georgia. (Docket No. 6398)

DESIGNATED FOR HEARING

John M. Spottswood, Key West, Fla.—Designated for hearing application for a new station to operate on **1340 kc.,** with power of 250 watts, unlimited time. (B3-P-3768)

Fred O. Grimwood, Bloomington, Ind.—Designated for hearing application for new station to operate on **1490 kc.,** with power of 100 watts, unlimited time. (B4-P-3856)

The Corinth Broadcasting Co., Inc., Corinth, Miss.—Adopted an order designating for hearing to be consolidated with the hearing on the application of Birney Imes, Jr., to be held May 7, 1945, the application of Corinth Broadcasting Co., Inc., for a new station to use **1230 kc.,** 250 watts; unlimited.

WINS—Hearst Radio, Inc. (Assignor), The Crosley Corp. (Assignee), New York City.—Designated for hearing application for voluntary assignment of license of station WINS from Hearst Radio, Inc., to The Crosley Corp. (B1-APL-19)

LICENSE RENEWALS

Granted renewal of licenses of following stations for the period ending August 1, 1946:

KANS, Wichita, Kans.; WGBB, Freeport, N. Y.; WOMT, Manitowoc, Wisc.; KBIZ, Ottumwa, Iowa; WTAX, Springfield, Ill.; WHIZ, Zanesville, Ohio.; WHAI, Greenfield, Mass.; KFXM, San Bernardino, Calif.; WSOC, Charlotte, N. C.; WSNY, Schenectady, N. Y.; WGCM, Gulfport, Miss.; WBML, Macon, Ga.; KDON, Monterey, Calif.; WHBU, Anderson, Ind.; WSNJ, Bridgeton, N. J.; WCOU, Lewiston, Maine; WPAX, Thomasville, Ga.; KROY, Sacramento, Calif.; KPPC, Pasadena, Calif.; KWLC, Decorah, Iowa; WSLS, Roanoke, Va.; KFOR, Lincoln, Nebr.; WCOV, Montgomery, Ala.; KDLR, Devils Lake, N. D.; KOVO, Provo, Utah; WATN, Watertown, N. Y.

WAIT—Gene T. Dyer et al, d/b as Radio Station WAIT, Chicago, Ill.—Adopted Order dismissing application for renewal of license of Station WAIT, filed by Gene T. Dyer, Evelyn M. Ringwald, Elizabeth M. Hinzman, Adele Moulds, Vivian Christoph and Wm. F. Foss, a partnership. (The renewal application has become moot because the Commission granted the application to assign the license to a new partnership on December 12, 1944.) Docket 6619.

Granted extension of following station licenses on a temporary basis to June 1, 1945, pending determination upon applications for renewal:

WJTN, Jamestown, N. Y.; WJMC, Rice Lake, Wisc.; WPAT, Paterson, N. J.

WLOK—The Fort Industry Company, Lima, Ohio.—Granted renewal of license for period ending April 1, 1946. (B2-R-907)

KELA—Central Broadcasting Corp., Centralia, Wash.—Granted renewal of license for period ending November 1, 1947. (B5-R-949)

WJDX—Lamar Life Insurance Co., Jackson, Miss.—Granted renewal of license for period ending November 1, 1945. (B3-R-766)

WEDC—Emil Denemark, Inc., Chicago, Ill.—Granted renewal of license for period ending August 1, 1945. (B4-R-551)

Granted renewal of following station licenses for period ending February 1, 1946.

KHBC, Hilo, Hawaii; KADA, Ada, Okla.; WLOF, Orlando, Fla.; KFUN, Las Vegas, New Mexico.

MISCELLANEOUS

The following applications for FM broadcast stations were placed in the pending files in acordance with the Commission's policy of February 23, 1943:

Paducah Broadcasting Co., Inc., Paducah, Ky.; Queen City Broadcasting Co., Inc., Seattle, Wash.; The Columbus Broadcasting Co., Inc., Columbus, Ga.; James A. Hardman, No. Adams, Mass.; Wilmington Star-News Co., Wilmington, N. C.; Liberty Broadcasting Corp., Atlanta, Ga.; Fisher's Blend Station, Inc., Seattle; Mid-Coastal Broadcasting Co., Washington, D. C.; Scripps-Howard Radio, Inc., Pittsburgh, Pa.; Donald W. Reynolds, Fort Smith, Ark.

Amendments to the following applications for FM broadcast stations were retained in the pending file:

Fla. Broadcasting Co., Jacksonville, Fla.; Milwaukee Broadcasting Co., Milwaukee, Wis.

The following commercial television applications were placed in the pending files in accordance with Commission policy of February 23, 1943:

Scripps-Howard Radio, Inc., Pittsburgh, Pa.; The Kansas City Star Co., Kansas City, Mo.

The following amendments to commercial television applications were retained in the pending files:

Don Lee Broadcasting System, San Francisco; E. Anthony & Sons, Inc., Boston, Mass.

Copper City Broadcasting Corp., Rome, N. Y.—Adopted an order granting petition insofar as it requests that the Commission hold in status quo its application for construction permit for new station to use frequency **1540 kc.,** 250 watts, unlimited time; set aside action of the Commission of February 27, 1945, designating said application for hearing to determine whether a grant thereof would be in conformity with Commission's supplemental statement of policy of January 16, 1945; vacated the hearing date, and ordered that the application be held in status quo under Sec. 2(a) of the Commission's Public Notice of January 25, 1945.

WERC—Presque Isle Broadcasting Co., Erie, Pa.—Adopted an order granting petition of WERC for reconsideration and grant of its applications for construction permit to change frequency to **1230 kc.,** license to cover construction permit, and authority to determine operating power by direct measurement, and granted said applications. (Docket No. 6694 and 6695)

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Adopted an order granting petition for reconsideration and grant without hearing WSYR's application to change its directional antenna pattern daytime; cancelled hearing and granted application. (Docket 6668)

Midstate Radio Corp., Utica, N. Y.—Passed over indefinitely petition to intervene in the hearing on application of Copper City Broadcasting Corp. for a new station in Rome, N. Y.

Utica Broadcasting Co., Inc., Utica, N. Y.—Passed over indefinitely petition to intervene in the hearing on application of Copper City Broadcasting Corp. for a new station in Rome, N. Y.

Augusta Broadcasting Co., Charleston, S. C.—Granted motion to amend application for new station to reflect changes in stockholders of the applicant corporation.

KHQ-KGA—Louis Wasmer, Inc., Spokane, Wash.—Granted joint petition in part, for continuance of hearing on applications for renewal of licenses of KHQ and KGA now scheduled for April 18, and continued same to May 18, 1945.

KOMO-KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted request for 30-day continuance of hearing now set for April 16 in re applications for renewal of licenses for main and auxiliary transmitters.

APPLICATIONS FILED AT FCC

560 Kilocycles

WQAM—Miami Broadcasting Co., Miami, Fla.—Transfer of control of licensee corporation from W. W. Luce, F. W. Borton and Frances Hester Borton, Trustees for Frederick Eugene Borton, Frances Hester Borton, and Orla Janice Miller; and William W. Luce and Marshall G. Luce, Trustees for Rosemary C. Luce and Marshall G. Luce to The Miami Herald Publishing Company, 100%.

920 Kilocycles

KFPY—Symons Broadcasting Co., Spokane, Wash.—Transfer of control of licensee corporation from Frances R. Symons, Arthur L. Bright, and Frances R. Symons, E. B. Craney, and Spokane and Eastern Branch of Seattle First National Bank, Trustees under the Will of Thomas W. Symons, Jr., to E. B. Craney, Queen City Broadcasting Co., Inc., and John L. Wheeler, 99.8%.

940 Kilocycles

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—License to cover construction permit (B3-P-3507) as modified, which authorized move of auxiliary transmitter to site of main transmitter, increase in power, and use of directional antenna for day and night operation.

1030 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Extension of special service authorization to operate on **770 kc.,** with power of 25 KW night, 50 KW day, unlimited time.

1230 Kilocycles

KFJB—Marshall Electric Co., Marshalltown, Iowa—Transfer of control of licensee corporation from Earl N. Peak, deceased to Catherine R. Peak, administratrix of the estate of Earl N. Peak, deceased—98.6%.

1340 Kilocycles

NEW—C. M. Zinn and C. Leslie Golliday, d/b as Martinsburg Broadcasting Co., Martinsburg, W. Va.—Construction permit for a new standard broadcast station to be operated on **1340 kc.,** with power of 250 watts and unlimited hours of operation.

1400 Kilocycles

WJLB—John L. Booth Broadcasting, Inc., Detroit, Mich.—Modification of license to change corporate name to Booth Radio Stations, Inc.

1430 Kilocycles

WBYN—WBYN-Brooklyn, Inc., Brooklyn, N. Y.—Transfer of control of licensee corporation from Rae Kronenberg as Executrix under the Last Will and Testament of Aaron Kronenberg, Rae Kronenberg, Salvatore D'Angelo, Peter Testan and Millie Testan to The Evening News Publishing Co.—71.25% common and 52.64% preferred.

1450 Kilocycles

WALV—Thomas Garland Tinsley, Jr., Richmond, Va.—Modification of construction permit (B2-P-3644, which authorized a new broadcast station) for approval of transmitting equipment. Amended: to make changes in antenna, and change transmitter and studio location.

1490 Kilocycles

WJXN—P. K. Ewing, Jr., and F. C. Ewing, a Partnership, d/b as Ewing Broadcasting Co., Jackson, Miss.—License to cover construction permit (B3-P-3614) as modified, which authorized a new standard broadcast station.

WJXN—P. K. Ewing, Jr., and F. C. Ewing, a Partnership, d/b as Ewing Broadcasting Co., Jackson, Miss.—Authority to determine operating power by direct measurement of antenna power.

NEW—Central Broadcasting Co., Inc., Johnstown, Pa.—Construction permit for a new standard broadcast station to be operated on **1490 kc.,** with power of 250 watts, and unlimited hours of operation. AMENDED: to make changes in corporate structure.

KEEW—Radio Station KEEW, Ltd., Brownsville, Texas—Special service authorization to operate on **910 kc.,** with 250 watts power, and unlimited hours of operation.

1600 Kilocycles

NEW—Herbert W. Brown and David A. Brown, d/b as Central Valley Radio, Lodi, Calif.—Construction permit for a new standard broadcast station to be operated on **1600 kc.,** with power of 250 watts, and unlimited hours of operation. AMENDED: to change studio location.

FM APPLICATIONS

WEHS—WHFC, Inc., Chicago, Ill.—Modification of construction permit (B4-PH-36, as modified, which authorized a new high frequency (FM) broadcast station) for extension of completion date from 5-8-45 to 7-8-45.

NEW—Columbia Broadcasting System, Inc., Minneapolis, Minn.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47700 kc.**, with coverage of 12,150 square miles.

NEW—Bradford Publications, Inc., Bradford, Pa.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48300 kc.**, with coverage of 5,502 square miles.

NEW—Pinellas Broadcasting Co., St. Petersburg, Fla.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46100 kc.**, with coverage of 5,940 square miles.

NEW—KGFF Broadcasting Co., Shawnee, Okla.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48900 kc.**, with coverage of 3,766 square miles.

NEW—Richard Austin Dunlea, Wilmington, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47500 kc.**, with coverage of 4,800 square miles.

TELEVISION APPLICATION

NEW—The Wm. H. Block Co., Indianapolis, Ind.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (**44000-50000 kc.**), as proposed in reallocation, with ESR of 1045.

MISCELLANEOUS APPLICATIONS

WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Construction permit to make changes in antenna system.

W2XJC—New Jersey Broadcasting Corp., Jersey City, N. J.—Modification of construction permit (B1-PEX-55, which authorized a new developmental broadcast station) to change corporate name to Atlantic Broadcasting Company, Inc.

WNRE—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of construction permit (B1-PIB-45, as modified, which authorized a new international broadcast station) for extension of completion date from 5-7-45 to 8-7-45.

NEW—American Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs to Stations CFCF and CBL and the Canadian Broadcasting Corporation.

W3XL—Everett L. Dillard, tr/as Commercial Radio Equipment Co., Washington, D. C.—Modification of construction permit (B1-PEX-43, which authorized a new developmental broadcast station) to change transmitter location and extension of commencement and completion dates.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

Consolidated Royal Chemical Corporation, also trading as Consolidated Drug Trade Products, 540-544 South Wells Street, Chicago, selling and distributing a medicinal preparation designated "New Pe-Ru-Na" and also as "New Pe-Ru-Na Tonic," is charged in a complaint with misrepresentation and false advertising. (5302)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

F. R. Hillyard & Son, et al.—An order has been issued directing the operators of the Hillyard optical stores in Washington, D. C., to cease and desist from disseminating false advertisements which the Commission found have misled and deceived customers as to the quality of service they render and as to the price and terms of sale of eyeglasses, lenses and frames.

The order is directed against Francis R. Hillyard, Sr., who operates an optical store at 5326 Georgia Ave., N. W., and trades as Dr. F. R. Hillyard & Son and as F. R. Hillyard & Son; and against his sons, Bernard B. Hillyard, Francis R. Hillyard, Jr., and Frederick C. Hillyard, who trade as Hillyard Optical Co., with their place of business at 711 G Street N. W., and 521 H Street, N. E. (4984)

Ceil Malk, Inc., 202 Livingston Street, Brooklyn, retailer of women's suits, coats and other garments, has been ordered to cease and desist from certain violations of the Wool Products Labeling Act and the Rules and Regulations promulgated thereunder. (5138)

Montgomery Ward & Company, Inc., Chicago, has been ordered to cease and desist from disseminating any advertisements of laxative preparations designated "Dr. Pierce's Purgative Pellets" and "Ward's Bile Salts Compound and Cascara Tablets" which fail to reveal that the preparations should not be used in the presence of abdominal pains, nausea, vomiting, or other symptoms of appendicitis; provided, however, that such advertisements need contain only the statement, "CAUTION: Use Only as Directed," if and when the directions for use wherever they appear on the label, in the labeling, or both on the label and in the labeling, contain a warning to the above effect. (5052)

National Secretaries' Association, 1005 Grand Ave., Kansas City, Mo., has been ordered to cease and desist from certain misrepresentations in connection with the sale of books entitled "Better Letters—Lessons in English" and "Better Letters—Quiz Book." (5003)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

U. S. A. Brands, et al.—Two stipulations to discontinue representing that the vitamin preparations they sell, each containing calcium pantothenate as its principal ingredient, are capable of preventing gray hair and of restoring the natural color to hair, have been entered into by U. S. A. Brands, Inc., 675 Broadway, New York (03271); and by Modern Products, Inc., 1428 North 24th St., Milwaukee, and The Cramer-Krasselt Co., 733 North Van Buren St., Milwaukee. (03273)

Cha-Gobe Co., 66 Pearl St., Hartford, Conn., has entered into a stipulation to cease and desist from representing that the device it sells under the name "Cha-Gobe Nasal Filter" will prevent hay fever or asthma caused by dust, pollen or other particles in the air, or that it is effective in such conditions in excess of affording partial protection of the nasal membrane. (03274)

Chester Furniture Factory, 214 Lamokin St., Chester, Pa., stipulated that they will cease and desist from using the words "furniture factory" or "factory" in the trade designation for or as descriptive of the merchandising business they conduct; or representing in any manner that they manufacture the furniture and household furnishings they sell; that their place of business is a factory showroom; that the prices charged are factory prices; that there are no middlemen between the factory and the customer, or that their customers buy direct from the factory with distribution costs eliminated. (4011)

K-B Medical Products, 2175 Station H, Cleveland, stipulated that in the dissemination of advertisements of medicinal preparations designated "Periodic Capsules, Triple PPP," "Dupree Pills," "R_x XX Periodic Capsules" and "R_x XXX Periodic Capsules," they will cease representing that such preparations constitute a competent or effective treatment or a dependable relief in cases of delayed menstruation arising from poor nutrition, anemia, fright, colds, over-exposure, change of climate, nervous strain, or from other causes. They also agree to discontinue representing, through use of the words "Period," "Periodic Capsules" or "Period Pills," that the preparations will be of value in cases of delayed menstruation from any cause. (03275)

Kraupner & Kraupner, Inc., trading as Hay's Co., 1375 Myrtle Ave., Brooklyn, and Diener & Dorskind, Incorporated, 147 West 42nd St., New York, stipulated that they will cease and desist from representing that hair dyed with Hay's Hair Coloring is natural looking and that the product does not stain the scalp. The product is sold by Kraupner & Kraupner, Inc., and the advertisements were prepared and disseminated by Diener & Dorskind, Incorporated, an advertising agency. (03276)

Marcellus Co., Box 144, Essex Station, Boston, engaged in the sale of a laxative designated Top Lax, stipulated that she will discontinue disseminating any advertisement of the preparation which fails to reveal that it should not be used when abdominal pains or other symptoms of appendicitis are present; provided, however, that such advertisement need only contain the statement, "CAUTION: Use only as directed," if the directions for use on the label or in the labeling contain a warning to the same effect. (03277)

Olan Mills Portrait Studios, Chattanooga Bank Bldg., Chattanooga, Tenn., entered into a stipulation to discontinue representing that any article of merchandise is "free," "absolutely free," "a free offer" or without cost to the recipient, when it is not a gratuity and the prospective recipient is required as a consideration to purchase some other article or render some service in order to obtain the same. (4013)

J. Schaffers Sons, Inc., et al.—Four stipulations have been agreed on in which dealers in furs or fur garments agree to discontinue designating their products by any but the true name of the animal producing the fur from which the products are made. The following respondents entered into the stipulation:

J. Schaffer's Sons, Inc., 252 West 30th St., New York, manufacturer of fur garments. (4009)

Charles Sadownick and Harry Richman, trading as Sadownick & Richman, 231 West 29th St., New York, manufacturers of fur garments. (4010)

Abram Krupnick and Anna Shatkin, trading as A. Krupnick, 142 West 29th St., New York, engaged in the sale and distribution of furs. (4012)

Morris Dentz and Louis Dentz, trading as Dentz & Dentz, 214 West 29th Street, New York, manufacturers of fur garments. (4014)

FTC CASES CLOSED

The Federal Trade Commission has ordered that the case growing out of the complaint issued against Henry Millinery Import Corp., 34 West 38th Street, New York, charged with misrepresenting its products, be closed without prejudice to the right of the Commission to reopen the case and resume trial thereof in accordance with its regular procedure. The Commission has been advised that the respondent corporation has been legally dissolved.

The Commission also has dismissed without prejudice its complaint charging C. Ernest Ingham and Harold Louis Ingham, trading as Ingham and Co., 172 Washington St., Boston, with certain misrepresentations in connection with the sale of luggage and other leather goods and novelties.

The complaint was dismissed because the respondents have expressed their intention, in writing, to be bound by the Trade Practice Conference Rules promulgated for the Catalog Jewelry and Giftware Industry, and have furnished satisfactory evidence of such intention.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 16, April 20, 1945

REINSCH TO WHITE HOUSE

On Tuesday, April 17, President Harry S. Truman announced the appointment of James Leonard Reinsch to the position of Administrative Assistant to the President, serving as Press and Radio Secretary for the White House.

Leonard Reinsch needs no introduction to broadcasters. Widely known throughout the industry, and held in high esteem, he comes to Washington from Atlanta, relinquishing the duties of Managing Director of WSB, Atlanta, WHIO, Dayton, and WIOD, Miami, stations comprising the radio interests of former Governor James M. Cox, who made him available at Truman's request.

At the February meeting of the NAB Board of Directors (NAB REPORTS, Vol. 13, page 83), Reinsch was elected Director-at-Large for Large Stations to serve the unexpired term of Hugh Feltis who resigned to head up the newly organized BMB. Reinsch was also nominated as a candidate for the new term beginning July 1. He is also a Director of Broadcast Music, Inc., and a member of the NAB Legislative Committee.

Mr. Reinsch has advised NAB that his new duties will require his full attention, and his resignation from all industry affiliations will soon be offered.

Born in Streator, Illinois, in 1908, Leonard Reinsch's first professional contact with radio was with WLS, Chicago, in 1924 where he went on the air as interlocutor in a minstrel show.

Attending school at the time, he found radio to his liking and in 1928 accepted a full time job with the same station as announcer, later to become a salesman. Attending Northwestern University concurrently, he was graduated with a B.S. Degree in Commerce. He was a winner of the D. F. Kellar award with a thesis on radio merchandising. This resulted in a request that he prepare a suggested curriculum for radio to be submitted to the Medill School of Journalism at Northwestern.

Agency work and station activities occupied his time until 1934 when WHIO was acquired by the Cox interests; he served as general manager at this station, later being assigned to WSB and full supervision of all Cox radio interests.

President Truman first became acquainted with Reinsch in November 1943, when he appeared as a witness before the Senate Interstate Commerce Committee.

Former Democratic Press Director Paul A. Porter, now Chairman of the Federal Communications Commission, chose Reinsch to head the radio department of the Democratic National Committee last June. He handled all technical radio arrangements for both Roosevelt and Truman during the campaign.

Reinsch was married in 1936 to Phyllis McGeough, of Chicago. They have two children, Penelope Lu, 6½, and James Leonard, Jr., 5.

"GREATEST RADIO PERSONALITY"

Paul A. Porter, Chairman of the Federal Communications Commission, in an address delivered on the occasion of the inauguration of the first television multiple relay linking Washington, D. C., and Philadelphia, on Tuesday (17) characterized the late Franklin D. Roosevelt as "the greatest radio personality we have ever known." Chairman Porter's address follows:

"The inauguration of this first television multiple relay, the linking of the nation's capital with our third largest city, is a historic milestone in our progress towards a nationwide system of television. It is a historic advance towards the realization of the American dream of bringing the people and their government closer together.

"This achievement comes at a time when our hearts are still heavy over the passing of him who blazed the trail and demonstrated the superior ability of radio to further this noble aim, who was indeed the greatest radio personality we have ever known.

"We cannot help regretting that national television was not available in time to enhance his efforts to bring Washington closer to the people. We rejoice, however, that demonstrations like this one assure us that sooner or later such a system will be available to the American people and their presidents.

"In any era and circumstance the character and talents of Franklin D. Roosevelt would have loomed large in the affairs of mankind. But in radio broadcasting they found their greatest medium of expression—a momentous meeting of man and mechanism.

"It is difficult to estimate how much more radio could have added to America's understanding and appreciation of this personality if television had been widely available to give us a new dimension to sound broadcasting. Then, to that golden voice coming out of the darkness of the loud-speaker, there would have been added the glowing, moving, living image of the man himself. All Americans everywhere could have seen his eager, animated, expressive face, his buoyant smile, his whole-souled chuckle when especially pleased, his deadly seriousness when deeply moved, the little mannerisms which were so much a part of his personality. That Franklin Roosevelt, even without this new miracle of sight wedded to sound, was able to transmit so much of his personality through the blackness of the night, is a testimony to his peculiar affinity for the broadcasting art and to his dynamic spirit.

"Although he had talked over the radio often before, the first demonstration of his unique power to rally a nation in time of crisis came on the occasion of his first inaugural address. Radio history was made that day. In that dark, fear-ridden hour in 1933 when Franklin Roosevelt first took office—when we were on the brink of chaos, when faith in the eternal rightness of our democratic way burned low in many hearts—in that fateful hour, Franklin Roosevelt's courageous, confident words ended retreat and we started on the road back.

"How often since then, in times of great emergency, have we turned, almost instinctively, to our radio to listen to that beloved voice, to have our inspiration renewed, our conviction refortified.

"As the President came to grips with his tasks, he continued to talk directly and frankly to the people. Radio became established as the most potent force in revivifying

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

our democracy. The business of government was brought to the firesides. Intricate problems of statecraft were taken out of the heavily dignified granite office buildings of Washington and translated by the chief executive into simple, understandable terms, and conveyed by a sincere, warm, vibrant, friendly voice.

"By his example, others were encouraged to turn to the microphone to reach the people and the radio quickly became a national forum, an institution so necessary under a system of government, of, by and for the people.

"Now we look forward to a great new force in our democracy—television. There are today only six commercial television stations in operation, but the intense interest in future development is indicated by the fact that more than 100 license applications for new stations have already been filed with the Federal Communications Commission; this despite the fact that no new construction can be undertaken until materials and manpower are again available.

"There will be obstacles—obstacles of a technical and an economic nature—which must be overcome before television can be made available on the same widespread scale as sound broadcasting. But the manner in which obstacles have been conquered one by one by the imagination and boldness of the sound broadcasting industry gives us every hope that the same qualities will win out in television.

"The opening of this new Multiple-Relay tonight is an example of the vigor with which the problems of television are being attacked. The creation of networks is the heart of the problem of how to expand television into a nationwide service.

"The Philco Corporation is to be congratulated on pioneering in this vital aspect of the television art. Its vision and enthusiasm thus give it a distinguished 'first.' This demonstration is a harbinger of exciting things to come.

"In due time, thanks to this spirit of enterprise, television will grow into a giant capable of serving us in many ways which we do not now even comprehend. Television will turn on the light. The illumination will go far, we hope, to drive out the ghosts that haunt the dark corners of our minds—ignorance, bigotry, fear. It will be able to inform, educate and entertain an entire nation with a magical speed and vividness. It can hasten the process of reconstruction. It can be democracy's greatest handmaiden by bringing the whole picture of our political, social, economic and cultural life to the eyes as well as the ears.

"That that democracy is the best way of life yet discovered is attested by the somber drama of this very time. The greatest leader and statesman of his age is taken from us in the midst of a tragic war, with staggering problems of peace ahead. Without interruption, the second in command takes over. The ship of state plows on without a moment's swerving from the course. The people of every party mourn the pilot who is lost and rally behind the new man at the wheel. All else is thrust aside for the greater welfare of the nation. A striking demonstration of unity in a war-torn, shell-shocked world."

BROADCASTERS PERFORMANCE RECOGNIZED

Universal recognition has been given to the quiet and efficient manner in which the broadcasting industry interrupted its normal operations on the afternoon of Thursday, April 12, and carried to the people of the nation word of the loss of the man who had served them as President through twelve troubled years.

During the short span of its existence radio broadcasting has served through two great world catastrophes—its most severe depression and its deadliest war. Fulfilling their obligations of public interest, convenience and necessity, broadcasters have many times responded promptly and effectively to the challenge of fire, flood, tornado and other calamities which have threatened large segments of the nation's people. This has brought to broadcasters experience in handling emergencies and the public has instinctively turned to radio for its information and guidance.

Radio in this latest and most sudden emergency demonstrated its impressive stature. Tributes in appreciation and gratitude have been widely expressed on the floors of Congress, in the editorial columns of newspapers, large and small, in the "Letters-to-the-editors" columns and in private communications addressed to leaders in the industry. In all radio has been commended for a task well done. Limitations of space make it impossible to reprint but a small portion of these expressions. Here are a few:

On the Floors of Congress

On the floor of the Senate on Monday (16) Senator Carl A. Hatch (D-N. M.) spoke as follows:

"Mr. President, the press of the Nation, the radio, through its programs and by its commentators, leaders in Congress, officials of the Nation, men and women in every walk of life—in fact, all the people of America—without regard to politics or other selfish consideration, have responded in our Nation's hour of sorrow, sadness, and tragedy in a manner such as the world has never before seen. Not as a public official but as an American citizen, I rise today to express my gratitude for the superbly wonderful way in which these tremendous forces have met what to a less courageous people might have meant disaster.

"Press and radio—friend and foe of the previous administration alike—through editorial comment, through the news services, and in every possible way, rose to the occasion with a patriotism never before witnessed in any country. Had the communications systems been directed and controlled, as they are in many countries of the world, the tributes to the departed Commander in Chief and the good will expressed for the incoming President could not have shown a more united spirit than was demonstrated here in free America by concerted, purely voluntary, and wholly cooperative effort inspired only by patriotic devotion to the Nation's welfare."

On the following day (Tuesday, 17) in the House, Honorable Emanuel Celler (D.-N. Y.) had the following to say:

"Mr. Speaker, a word of praise and commendation might well be spoken concerning the broadcasting companies for their exemplary handling of the news of the late President Roosevelt's death and the ceremonies attendant upon his funeral. The dignity and seriousness of the programs were in keeping with the solemnity of the occasion. From the moment the news of his death was flashed at 5:49 p. m. Thursday to the close of Sunday broadcasting, there was not a so-called commercial plug over the airways. Such commercial programs as were retained were carefully examined to see that they would not violate the spirit of mourning which gripped the Nation. Therefore, I acclaim these national networks and local stations."

Still another member of Congress, the Honorable A. S. Mike Monroney (D-Okla.) on Wednesday (18) made the following remarks:

"Mr. Speaker, I cannot let the opportunity go by without paying a well-earned tribute to the radio industry for the appropriate way they handled the most important story of the death of our beloved President over the week end.

FCC PROPOSES RULES REVISION

Affecting Stock-Contract Reporting

The Federal Communications Commission on Tuesday (17) adopted a resolution to the effect that public interest, convenience, and necessity may be served by deletion of rules 1.361 and 43.1 and the substitution of other rules relating to financial, ownership and other reports of broadcast licensees. The complete text of the Commission's order will be published in a special bulletin.

The Commission's order states that oral argument will be held before the Commission on May 21 at 10:30 a. m. It further states that any person desiring to participate in the oral argument shall so notify the Commission before May 9, and all persons desiring to appear must also file a brief.

"The entire industry rose magnificently to the occasion in handling this national tragedy with appropriate feeling and with an appreciation of the deep sense of loss that the Nation had suffered.

"Within seconds after the fateful news of President Roosevelt's death had been flashed to the world they dispensed with all commercialization of their programs and dedicated the next few days to complete and appropriate coverage of America's deep mourning.

"With great speed announcers, commentators, program directors, and file men assembled, wrote and edited radio programs that set a new high in that field.

"This is a splendid example of responsibility of public service and their highly appropriate and intelligent operation showed an understanding and an appreciation of the power of their medium by both the stations and the national networks.

"All this was done at a great financial sacrifice to both, as almost all stations killed all commercialization of their programs to more appropriately observe the occasion. The sacrifice ran into millions of dollars, which was gladly yielded without question because the occasion was of national importance to warrant it.

"If any occasion were needed to demonstrate that the radio has come of age, this certainly marked that occasion."

From the Newspapers

The Washington, D. C., *Star*, under the caption "An Impressive Performance" editorialized as follows:

"It seems to *The Star* that the Nation's radio networks and individual stations deserve high commendation for a display of good taste in their manner of presenting to the Nation the tragic news of President Roosevelt's death and his journey through Washington back to his final resting place at Hyde Park.

"By spontaneous agreement and over a period of more than seventy-two hours, hundreds of advertising programs, carefully rehearsed and scheduled long in advance, were either dropped or revised to eliminate distasteful commercialism and to bring them in tune with the spirit of the occasion.

"As a result, the radio news and the accompany tributes to the late President were delivered on a plane befitting the dignity of a Nation in mourning. The simple beauty of many of the programs and the admirable restraint of the reporters and commentators established a mark, in the performance of a public service, which is the source of as much satisfaction to the public as it must be to the radio industry."

An editorial "Radio Demonstrates Its Worth," appears in the April 16 issue of the Sheboygan (Wisconsin) *Press:*

"Radio throughout the country established a new high in service to the nation, when all of the networks joined in tributes to the late President.

"From the hour of Mr. Roosevelt's death, all commercial programs were cancelled and the facilities made available for covering the funeral arrangements, and tributes from the entire world. The combined networks furnished a wreath in words that brought forth solace in a nation's gloom. Programs came from every state in the Union, and one was more beautiful than the other. Men of all religious beliefs went on their local stations, nation wide, and the great heart of America responded. From Hollywood came programs carrying the voice of some star or commentator well known in the radio world.

"It was the first time that a President had died since radio had reached the point of world coverage, and it justified all that has been claimed for it.

"All through Thursday afternoon from the hour of Mr. Roosevelt's sudden death and until the final services at Hyde Park Sunday morning, the facilities were made available for memorial programs. The entire world is indebted to radio in a service that this generation will never forget."

Norman Siegel, veteran radio editor of the Cleveland *Press*, had this to say in his column of April 17:

"**A Noble Achievement:** Radio reached its peak as an instrument of public expression in bringing to the world the full impact of the tragedy that befell mankind in the passing of Franklin D. Roosevelt. Never in the 25 years of American broadcasting has radio made itself so felt as it did during the sad hours which brought the past week to a close.

"Ignoring cost and its set pattern of programming, radio met the challenge that the President's death presented and for three and one-half days devoted its full energies and time to the memory of a "Man of Radio," its greatest voice, which had been silenced by the master of all men.

"The tragic words that brought news of Roosevelt's death were still being teletyped into that first shocking sentence when radio went into action. Within 10 minutes after the initial flash had been broadcast, network chiefs cleared the airwaves of everything but news and tributes to the late President. All programs were cancelled indefinitely. Those regular shows, sustaining and commercial, which were not in keeping with the solemnity of the occasion, were revised or dropped entirely.

"From 4:49 p.m. Thursday until yesterday morning radio, which once brought the masterful voice of Franklin D. Roosevelt to the world, transmitted tributes to his memory from leaders in every walk of life. Eulogies, music, news of global reactions, and descriptions of personal contacts with the President were substituted for the regularly scheduled programs.

"The technical and news staffs which were on alert duty to cover the events of the impending 'V-E Day' instead assumed the burden of bringing to the world the highlights of this great tragedy. In the first seven hours following Roosevelt's death NBC put on 72 special programs. Columbia, Mutual and the Blue Network of the American Broadcasting System established similar records.

"The cost to the networks in the loss of commercial revenue and added expense of substitute musical programs ran in the neighborhood of $4,000,000. It far exceeded the service performed by radio on 'D-Day' and such other momentous historical events of recent war years as 'Pearl Harbor Sunday' and the nation's entry into the conflict to preserve democracy. It was the crowning achievement of the 20th Century wonder of communications.

"The number of outstanding programs that were broadcast are too numerous to tabulate in the short space of a newspaper column. Among the most inspiring was the two-hour tribute that emanated from Hollywood Sunday night, on which the great names of the entertainment world humbly paid their respects to the memory of a friend. In this hour of international sadness radio came closer to the hearts of the public it serves than it ever has in the quarter-century of its existence."

Listener Writes

Signed by Charlotte F. Degen of Upper Montclair, N. J., the following letter appeared in the "Letters to the Editor" column of the New York *Times* of April 17:

"At this time it seems proper that some public mention be made of the fitting tributes all national networks and local stations made during the three days of national mourning for our great deceased leader.

"Radio set the keynote for a reverent public to express its devotion and thanks to our and the world's outstanding statesman. His spirit lives on now, stronger than ever, to inspire us to make certain his peace aims are fulfilled.

"It is gratifying to know at what heights radio can extend its tremendous facilities and wealth of talent."

News Columns Pay Tribute

The New York *Times* of April 16, under the heading "Air Commercials Resume Today" contains the following:

"The greatest coverage radio ever gave to a news story ends this morning for the broadcasting stations and networks of the nation when they resume regular commercial programs that were dropped for almost eighty hours to give an eager public an up-to-the-minute account of the passing of Franklin Delano Roosevelt.

"From the moment news of his death was first flashed at 5:49 p.m. Thursday, through the close of Sunday broadcasting, there was not a 'commercial plug' over the airwaves. Such commercial programs as were retained were carefully examined to see that they would not violate the spirit of mourning that gripped the nation and these were introduced solely with a sponsor identification.

"A survey of the major networks and of typical smaller metropolitan stations showed that all had adhered rigidly to this voluntary rule. All are resuming regular broadcasting in a group.

"In addition to straight news, piped into the broadcasting stations by the nation's great news services and newspapers, the radio did an extensive job of 'spot coverage' that kept the listening public in close touch with developments.

"The stations and networks also picked up the tribute of the great, the reactions of the people themselves, the memorial services and the proclamations. This they put on the air together with the commentary of noted news analysts on the effects of the death of this leading world figure.

"When the news slowed, the great music of the ages was heard—symphonies, spirituals, hymns, folk music—much of it beloved by the late President.

"London, Paris, Moscow, Rome, Chungking, Guam, Honolulu, the Western Front and even Okinawa were brought in on specially prepared programs."

RYAN WIRES PRESIDENT TRUMAN

Harold Ryan, President, National Association of Broadcasters, dispatched the following telegram to President Harry S. Truman soon after word had been received of death of late President Franklin Delano Roosevelt.

"AT THIS CRITICAL TIME WHEN YOU TAKE UP THE GREAT BURDEN LAID DOWN BY YOUR MAGNIFICENT PREDECESSOR, THE BROADCASTERS OF AMERICA JOIN WITH YOU AND THE NATION IN BEREAVEMENT. LOOKING TO THE MASSIVE PROBLEMS BEFORE YOU, BROADCASTERS PLACE AT YOUR INSTANT COMMAND THE FACILITIES OF THEIR STATIONS WHICH FRANKLIN D. ROOSEVELT USED SO EFFECTIVELY."

PATT MAKES SUGGESTION

John Patt, WGAR, Chairman of the NAB Public Relations Committee, in a telephone message to headquarters this week, suggested that all stations make individual expressions of loyalty and cooperation to President Harry S. Truman by means of telegrams and personal letters.

RADIO CARRIES SERVICES FROM TRUMAN'S CHURCH

Grandview, Missouri, was suddenly thrust into the national spotlight last Sunday (15) when special religious services were held at President Harry S. Truman's church, the Grandview Baptist, by the Rev. Wilbern Bowman, pastor and friend of Mr. Truman.

Radio Station KXOK in a special arrangement with KCMO broadcast the services to the people of St. Louis and its environs. The President, a member of the church congregation for the past 29 years, was represented at the services by his mother who is also a member of Rev. Bowman's church.

MEMORIAL SOLICITING NOT AUTHORIZED

Attention of broadcasters is directed to a statement issued on behalf of the Roosevelt family by Basil O'Connor, friend and former law partner of the late President Franklin D. Roosevelt, in which Mr. O'Connor announces that no one has been authorized to solicit "funds in the name of the former President at this time, regardless of the purpose to which the proceeds are to be utilized."

"It has come to our attention," said Mr. O'Connor, "That funds are being solicited in the name of the late President."

It is suggested that broadcasters explain this to any well meaning organizations or groups that may approach them on this subject.

Mr. O'Connor later issued a statement saying that Mrs. Franklin D. Roosevelt has approved plans to create a suitable memorial, and had asked him to form a committee for the purpose of selecting the memorial.

It has not been revealed whether funds will be solicited or accepted.

RADIO
1920 - 1945
XXV

KIWANIS RADIO WEEK PLANS ARE PROGRESSING RAPIDLY

Harold Ryan to Address Omaha Kiwanis May 16

The wires were busy between Chicago and Washington this week as Kiwanis headquarters reported mushrooming developments in Kiwanis Radio Week, scheduled for May 13-19 throughout the United States and Canada.

NAB's Special Twenty-Fifth Anniversary Bulletin No. 7 also brought response from broadcasters who are participating as guests of honor and as speakers and program chairmen at local Kiwanis Club meetings between those dates.

Harold Ryan, NAB President, will address a combined meeting of the Kiwanis Club and other civic organizations of Omaha, Nebraska, on May 16, the Kiwanis meeting having been changed from Friday to Wednesday of that week in order to extend hospitality and recognition to the NAB Board of Directors, meeting in Omaha May 16-17. Active in this planning is John J. Gillin, Jr., WOW, NAB Board member and host Director for this meeting.

Advance Publicity

Kiwanis International did not embark on Kiwanis Radio Week as a "publicity stunt" but to pay sincere homage to the broadcasters of America. Therefore it remains with the stations themselves to give this event the news coverage it deserves in their communities, both prior to and during the actual presentation of Certificates of Citation. Items in station news broadcasts, interviews with Kiwanis officials prior to the week of May 13-19 and prevues of any special program productions should furnish material for advance publicity, programmed in proper relation to the news of the day.

Speakers, Programs for the Occasion

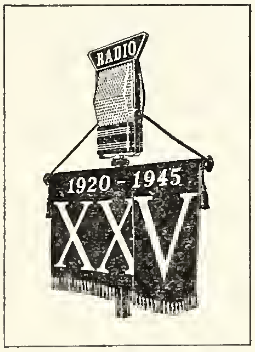
Due to the fact that Kiwanis Radio Week is the occasion for recognizing local station management, local broadcasters are the logical selection as speakers for the meetings. An abundance of material will be found in Special Twenty-Fifth Anniversary Bulletins 1 to 6, together with Harold Ryan's speech, "Radio's Public Service in Time of War."

The Citations cover radio's service during the period of its past history, including its enviable war record, therefore a resume of its quarter century of operation in the public interest is more suitable than remarks limited to prophecy of the future.

Some stations have elected to combine their talent facilities and produce a dramatization of radio's history by means of a news and special events round-up covering the period of 1920 to 1945. This may be accomplished in at least three ways: 1. Live, and broadcast from the Kiwanis Club meeting, or transcribed for delayed broadcast. 2. Transcribed and played back at the meeting and broadcast later in the day with portions of the ceremony transcribed during the presentation. 3. Broadcast from studio and "beamed" to Kiwanis Club meeting, following or preceding broadcast of presentation ceremonies *from* the meeting.

In such productions stations should include the highlights of their own local public service, particularly as necessitated by local emergencies, floods or other disasters.

Display This Symbol



A large illustration of the 25th Anniversary symbol, an artist's drawing at least five feet in height, with silver mike and black trim, dark purple banner and silver fringe and lettering, will be most acceptable behind the head table at your Kiwanis Club meeting.

HOLLYWOOD REPORTER SALUTES RADIO IN SPECIAL EDITION

The *Hollywood Reporter*, using the XXV symbol and a silver motif throughout, tendered a one hundred page salute to radio in its twenty-fifth year from the motion picture capital on April 6.

Radio and screen stars are profuse with congratulations to the broadcasters on the silver anniversary of their industry. Headliners include Bing Crosby, Fred Allen, Frank Sinatra, Nelson Eddy, Dinah Shore, Fibber McGee and Molly, Ginny Simms, Jack Benny and several score names well known to movies and the ether, including music publishers, set and equipment manufacturers, agents and producers.

The cover portrays a symbolic figure holding aloft the XXV banner, with radio towers in the lower foreground.

A Foreword by Dr. Lee De Forest, followed by a statement from Harold Ryan, NAB President, precedes a Table of Contents heralding the literary contributions of leading broadcasters and "cinemair" figures.

Colorful border and page decorations depict milestones in radio's twenty-five year career, using numerous photographs.

The Special Edition, originally scheduled for the last week in December, 1944, was postponed to the April publication date.

It is hoped that each station and network library will have a copy as a valuable memento of Radio's Twenty-Fifth Anniversary.

KWKH USES XXV SYMBOL

A letter has been received by Bruce Starkey, Chief, NAB News Bureau, from Fred Ohl, Manager KWKH, Shereveport, in which Mr. Ohl states:

"We have your letter of April 11 suggesting that we use the 'XXV' symbol on page one of *On the Level.*

"We shall certainly be glad to do this. It is a splendid suggestion."

On the Level is KWKH's house organ.

All station managers are urged to re-examine their publicity with a view to incorporating the XXV symbol in logotypes, etc. This is important in view of the accelerated tempo that will attend observance of 25th Anniversary during 1945.

FCC RULE 2.41 AMENDED

The FCC has revised Rule 2.41 insofar as it affects radio stations other than broadcast stations, by the addition of a new section (b). For broadcast stations the requirement remains that construction shall commence within sixty (60) days from the grant of the CP, allowing an additional six (6) months for completion. In case of a radio station other than broadcast the date of commencement is not to be specified. In order that your set of Rules and Regulations may be up to date the complete new Rule 2.41 is reproduced below:

"2.41 Period of construction.[5] (a) Each construction permit for a radio station in the broadcast service will specify a maximum of 60 days from the date of granting thereof as the time within which the construction of the station shall begin, and a maximum of six months thereafter as the time within which construction shall be completed and the station ready for operation, unless otherwise determined by the Commission upon proper showing in any particular case.

"(b) Each construction permit for a radio station other than broadcast will specify the date of grant as the earliest date of commencement of construction and a maximum of eight months thereafter as the time within which construction shall be completed and the station ready for operation, unless otherwise determined by the Commission upon proper showing in any particular case."

The Government Printing Office has recently issued Part 2 of the Rules and Regulations, revised to December 19, 1944. Copies are available through Superintendent of Documents, GPO.

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[5] See section 1.356 Rules of Practice and Procedure.

FCC COMMITTEE MEETS

As a preliminary to the proposed radio listening survey contemplated by FCC in connection with the clear channel hearing, a sub-committee headed by Dalas Smythe, FCC Chief Economist, met in Washington on Wednesday (18). In addition to representatives of the Commission, industry research men were also present. Rosel Hyde, FCC General Counsel, and Clure Owen, Assistant Chief of the Broadcast Division of the Engineering Department, also participated.

Some differences of opinion were voiced by industry representatives to the FCC proposal. The industry view was that the survey should be broadened to include listeners outside of primary listening areas. It was specifically emphasized that the proposed survey in no way overlaps the project to be conducted by Broadcast Measurement Bureau. Incidentally, BMB was represented at the meeting by President Hugh Feltis. It is stated that the Commission hopes to complete the survey by mid-summer.

"NOTHING LIKE NEWS FROM HOME" IS REACTION TO GLOBAL SHOWS

Mail from members of the armed forces to relatives, friends and radio stations continue to bring messages of thanks for "Let's Go to Town" programs produced in this country.

Today we quote from letters received in St. Paul and Schenectady, where Kenneth M. Hance, vice-president KSTP, and Earl J. Pudney, WGY, were Task Force Commanders.

Schenectady

A navy Chief Pharmacist wrote his parents in Schenectady that he heard the program while the fleet was steaming into action and that it was a most welcome breath of the home town.

"Spec" Fowler, who appeared on the Schenectady show, conducts a column, "Seen and Heard," in the "Union Star"; and he has printed many of the letters. To show how news gets around he printed one letter received by Otis Clements, male member of "Otis and Eleanor", radio musical team, written them by a Keene, N. H., private. He heard the show under battle conditions as he neared the German border March 7.

"Surprised?", wrote the soldier—"I was amazed and it was grand to hear all the gang."

Douglas McMullen, formerly producer of television programs at WRGB, GE television station, heard the program in England.

"I closed my eyes as the familiar sights were described and marvelled at the magic of radio . . ." wrote an Army captain from "somewhere in France."

St. Paul

An Ensign wrote while on duty on a mine sweeper in the Pacific area:

"Yesterday I got quite a surprise. We were all sitting around having dinner and the radio was on. I wasn't paying much attention until a familiar voice said, 'Does this sound familiar to any you? Snelling—Selby Lake—Kellogg Boulevard—and High Bridge Station.' Sure enough, it was a half-hour broadcast from St. Paul. . . . Gosh! I was never happier in my life . . . there isn't anything like news from home."

A Corporal wrote from Dutch New Guinea and a Major from the Philippines.

"Was I surprised," wrote the Corporal, "when it (the radio) started off talking about High Bridge, West Side, Robert and Seventh and University Avenue. Well, of course, it was St. Paul and Brooks Henderson was the announcer."

Another Corporal wrote from Germany: "Being interested in my letters I paid little attention (to the radio). As the piece was being played it seemed to me that I had heard some mention of KSTP, so I jumped to my feet and went to listen and verify what I thought I had heard. It did not take me long to realize that it was Carl Karnstedt whom I had heard many times prior to my entrance into the army three years ago."

More Show Completed

The following "Let's Go to Town" program has been received by Armed Forces Radio Service:

DISTRICT XVI

Albuquerque................Frank Quinn, KOB, *TFC

HOME FRONT BOND-VICTORY NEEDED

"This nation needs a VICTORY on the home front to go along with victories on the fighting fronts in Germany, in Italy, in the Pacific. We need it for our peace of mind and to prove to our enemies that we stand united and determined behind our men at the front and our new Commander-in-Chief."

That's the first paragraph of a War Bulletin signed by Harold Ryan, NAB president, which is being distributed to all stations today.

Final section of the Bulletin deals with a plan for reporting to the nation, through radio and the press, a weekly story on radio's public service put back of the Mighty Seventh. Details will reach stations the first week in May.

Extra Push in Lagging Areas

With a new high goal set for individual sales and for E Bonds, it's going to be necessary for Treasury territory sales officials to keep close watch on quotas. It is natural in the normal course of every war loan drive that there is considerable variation from city to city or area to area, in the speed with which quotas are being met. So that extra selling pressure may be applied in lagging areas as soon as a lag is detected, state chairmen of the war loan drive will notify regional OWI radio directors where support is needed. OWI regional offices in turn will notify stations of the situation and submit war bond announcements to station management in areas involved.

It is anticipated that this arrangement will go far toward quickly bringing lagging communities up to their quotas.

"Sing for the Seventh" Is New ET Series

"I Know the Enemy," 4-minute transcribed Treasury series, has been killed. In its place stations will receive ETs of an entirely new series entitled "Sing for the Seventh". Like "I Know the Enemy", the new series consists of 21 programs of 4 minutes' duration, providing time at the opening and close for local sponsor messages.

Each program features a new war song by a well-known composer. Talent: Mark Warnow's orchestra, popular singers of radio and screen; Ralph Bellamy, master of ceremonies.

OFFICE FORMS AND PRACTICES COMMITTEE MEETS

The NAB Office Forms and Practices Committee met in Washington on Monday and Tuesday (16-17). It was the first meeting of the committee since the NAB Board of Directors expanded its functions and gave it its new

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* Task Force Commander.

name—dropping the former designation of Accounting Committee.

Those attending were: John B. Conley, KEX, Portland, Oregon, Chairman; Kenneth Church, WCKY, Cincinnati; Harry F. McKeon, NBC, New York; Lloyd C. Thomas, KGFW, Kearney, Nebraska; Earl W. Winger, WDOD, Chattanooga, Tennessee; and Paul F. Peter, NAB, Washington, Secretary. Committee members Gene L. Cagle, KFJZ, Fort Worth, Texas, and S. R. Dean, CBS, New York, were unable to attend. Others of the NAB staff attending portions of the meeting were Harold Ryan, President; C. E. Arney, Jr., Secretary-Treasurer; Robert Bartley, Director of Government Relations; Howard Frasier, Director of Engineering; and Helen H. Schaefer, Assistant Director of Research.

The committee discussed its new assignment and established a plan for carrying it out.

Immediate efforts are directed to a study of station forms and their uses; the preparation of a revised recommended program log procedure, and a revised accounting manual.

Rosel H. Hyde, General Counsel and William J. Norfleet, Chief Accountant of the FCC, had lunch with the committee. The FCC program log requirements and the annual financial report required of stations were discussed. Both the FCC staff members and the committee expressed a desire to work together on these matters.

A request will be sent to a selected group of stations to send all forms used in the station for committee review. This will get the committee under way in the preparation of a manual of recommended forms and procedure for station use. Several station forms were examined at the meeting and the committee is confident that it can make a real contribution to the industry in this work.

The committee will meet again in June.

CAPEHART INTRODUCES RESOLUTION TO INVESTIGATE FOREIGN RADIO PATENTS

Senator Homer E. Capehart (R), Indiana, has introduced for himself and Senator Wheeler S. Res. 118 to authorize a Senate investigation of Foreign Ownership or Control of Radio Patents. The resolution which has been referred to the Senate Committee on Interstate Commerce, reads as follows:

79th Congress, 1st Session

S. Res. 118

In the Senate of the United States

April 12 (legislative day, March 16), 1945

Mr. Capehart (for himself and Mr. Wheeler) submitted the following resolution, which was referred to the Committee on Interstate Commerce.

Resolution

"*Resolved,* That the Committee on Interstate Commerce, or any duly authorized subcommitte thereof, is authorized and directed to make a full and complete study and investigation with respect to the relationship of foreign companies and persons to radio and other communication in the United States and the effect of such relationship upon the national economy and safety of the United States, with particular reference to patents owned or controlled by such foreign companies or persons and arrangements or agreements made by such foreign companies or persons concerning radio and other communication. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation together with such recommendations as it may deem desirable.

"For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee."

NATIONAL AND INTER-AMERICAN MUSIC WEEK MAY 6-13

National and Inter-American Music Week will be celebrated this year May 6-13, NAB has been advised by the Music War Council of America and the National Association of Music Merchants.

Howard C. Fischer, Executive Secretary of the Music War Council of America, writes as follows:

"Music Week is of greater significance than ever before, because of the added importance of music in wartime and in these days preceding the coming of a peace which we hope will be just and lasting. We believe that music can contribute to the shaping of such a peace, and are therefore anxious to bring this potentiality of music as a force for good to the attention of as many people as possible during Music Week."

William A. Mills, Executive Secretary of the National Association of Music Merchants, says that Music Week this year will "promote greater interest in music." He further states that members are being urged to use time on their local radio stations to promote the sale of phonograph records as gifts.

Material of sustaining and commercial character is being provided radio stations and music merchants by the Music War Council of America and the National Association of Music Merchants.

KELA ASSISTS MERCHANTS WITH OPA DATA

When Manager Joe Chytil, KELA, Centralia-Chehalis, Wash., learned that most retailers were having difficulty in establishing pricing charts, necessitated by a new OPA order, he came to their assistance by setting up a special department for that purpose.

Mrs. Dudley Gaylord, staff member, who is also in charge of the local price panel, headed the department. She called on or gave telephone advice to nearly all of the 150 concerns in the area selling men's, women's and children's or infants' apparel items and accessories, as well as other specific articles covered by the order.

As a result of the station's operation, OPA officials reported that inquiries from the area were sharply reduced. Merchants were profuse in their thanks.

BROADCASTERS TOUR NAVY YARD

According to a press release from WPTF a group of 40 radio executives from Georgia, North and South Carolina and Jacksonville, Florida, recently toured the Naval installations at Charleston, S. C., Navy Yard.

During their tour they lived in Navy barracks, ate Navy chow and observed Navy hours.

Highlight of the tour was a trip to sea on a fighting ship, in order to witness life aboard a ship preparing for action. Object of the tour was to enable these men to take home first hand information about how the Navy is preparing for the long Pacific War . . . and how our men in the Navy live.

WHBQ ISSUES BROCHURE

Sixteen advertisements run in "Broadcasting" by WHBQ, Memphis, between October 9, 1944, and January 22, 1945, inclusively, have been grouped together in a brochure just distributed by Bob Alburty, general manager. It reflects the idea that WHBQ, its listeners and its sponsors are members of a closely knit team.

945 STANDARD BROADCAST STATIONS

During the month of March 1945, the FCC licensed one station to operate. A comparative table of the number of standard broadcast stations by months, follows:

	1944									1945			
	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1
Operating	909	909	910	912	913	912	914	916	919	919	921	923	924
Construction	9	11	13	12	13	16	15	15	18	24	24	22	21
	918	920	923	924	926	928	929	931	937	943	945	945	945

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 23. They are subject to change.

Monday, April 23

Further Hearing

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Renewal of license, **1020 kc.,** 1 KW, limited.

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Renewal of license, **1110 kc.,** 10 KW, unlimited, DA-night and day.

Friday, April 27

NEW—The Brockway Company, Massena, N. Y.—C. P., **1340 kc.,** 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WFEA—New Hampshire Broadcasting Co. (assignor), H. M. Bitner (assignee), Manchester, N. H.—Granted consent to voluntary assignment of license of station WFEA from the New Hampshire Broadcasting Co. to H. M. Bitner; no monetary consideration is involved, transfer is from licensee corporation to its sole stockholder. (B1-AL-477)

WRLD—L. J. Duncan, et al. (assignor); WDAK, L. J. Duncan, et al., d/b as Valley Broadcasting Co. (assignee), West Point, Ga., Columbus, Ga.—Granted consent to voluntary assignment of license of station WRLD, West Point and WDAK, Columbus, Ga., from L. J. Duncan, Leila A. Duncan, Josephine A. (Keith) Rawls and Effie H. Allen, d/b as Valley Broadcasting Co., to: L. J. Duncan, Leila A. Duncan, Josephine Rawls, Effie H. Allen, Allen M. Woodall and Margaret A. Pill, d/b as Valley Broadcasting Co., for a consideration of $15,300 for an 18 percent interest in the assignee partnership, newly formed, composed of the four members of the licensee partnership and two new members. (B3-AL-478)

KFAR—Midnight Sun Broadcasting Co., Fairbanks, Alaska—Granted extension of special service authorization to operate on **660 kc.,** 10 KW, unlimited time for the period ending May 1, 1946, providing that if objectionable interference is caused to the FCC monitoring station, the CAS Radio System, Alaska Communications System, Army, Navy, Coast Guard, or other communication systems, and is not promptly eliminated, KFAR will return to its regular operating assignment (**610 kc.,** 5 KW).

W3XL—Everett L. Dillard, tr/as Commercial Radio Eqpt. Co., Washington, D. C.—Granted modification of construction permit authorizing new developmental station, for move of transmitter location to the International Building, 1319 F St., N. W., Washington, and extension of commencement and completion dates to 30 days from date of grant and September 15, 1945. (B1-MPEX-12)

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending August 1, 1946:

KAVE, Carlsbad, New Mexico; KFJI, Klamath Falls, Ore.; WKOK, Sunbury, Pa.; KGY, Olympia, Wash.; KICA, Clovis, N. M.; KYUM, Yuma, Ariz.

Licenses for the following stations were renewed for the period ending May 1, 1948:

WMEX, Boston, Mass., WNOX, Knoxville, Tenn., KFBK, Sacramento, Calif.

MISCELLANEOUS

KVAN—Vancouver Radio Corp., Vancouver, Wash.—Denied petition (without prejudice to consideration of the application as a whole, on its merits), for grant in part of its application for construction permit to change frequency, increase hours of operation, change transmitter site and install directional antenna.

Placed in the pending files in accordance with policy adopted February 23, 1943, the following applications for FM broadcast stations:

United Broadcasting Co., Akron, Ohio; Radio Broadcasting Corp., Twin Falls, Idaho; Larus & Bros. Co., Inc., Richmond, Va.; Pinellas Broadcasting Co., St. Petersburg, Fla.

The following applications for commercial television stations were placed in the pending files in accordance with policy adopted February 23, 1943:

United Broadcasting Co., Columbus, Ohio; United Broadcasting Co., Akron, Ohio.

Retained in the pending files amendment to application of The Travelers Broadcasting Service Corp., Hartford, Conn., for a commercial television station.

Midwestern Broadcasting Co., Cadillac, Mich.—Adopted memorandum opinion granting construction permit for a new station to operate on **1240 kc.,** with power of 250 watts, unlimited time, subject to procedural requirements of Commission's supplemental statement of policy of January 26, 1944.

APPLICATIONS FILED AT FCC

570 Kilocycles

WNAX—WNAX Broadcasting Co., Yankton, S. D.—Transfer of control of licensee corporation from South Dakota Broadcasting Corp. to Cowles Broadcasting Co.—50.6%.

590 Kilocycles

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Transfer of control of licensee corporation from Louis Wasmer to KHQ, Inc. (2500 shares common stock—100% outstanding).

890 Kilocycles

WHNC—Henderson Radio Corp., Henderson, N. C.—Modification of construction permit (B3-P-3641, as modified, which authorized a new standard broadcast station) for changes in antenna, and extension of commencement and completion dates.

930 Kilocycles

WJAX—City of Jacksonville, Jacksonville, Fla.—License to cover construction permit (B3-P-3541) which authorized installation of an auxiliary transmitter.

1240 Kilocycles

NEW—George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Co., New Iberia, La.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, with power of 250 watts, and unlimited hours of operation.

NEW—Louis N. Howard and Ellis H. Howard, d/b as Jacksonville Broadcasting Co., Jacksonville, N. C.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, with power of 250 watts, and unlimited hours of operation.

1450 Kilocycles

WBBL—Grace Covenant Presbyterian Church, M. A. Sitton, agent, Richmond, Va.—Modification of construction permit (B2-P-3638, which authorized change in frequency increase in power, change hours of operation, move of transmitter, and change in antenna and equipment) for approval of transmitting equipment. AMENDED: to use presently licensed antenna and transmitter site.

NEW—Augusta Broadcasting Co., Charleston, S. C.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unlimited hours of operation. AMENDED: to reflect changes in stockholders.

1460 Kilocycles

KINY—Edwin A. Kraft, Juneau, Alaska—License to cover construction permit (B-P-3089) as modified, which authorized increase in power, installation of new transmitter, and changes in equipment and antenna. AMENDED: to cover B-P-3622, as modified, which authorized reinstatement of B-P-3089, as modified.

KINY—Edwin A. Kraft, Juneau, Alaska—Authority to determine operating power by direct measurement of antenna power. AMENDED: re engineering data.

FM APPLICATIONS

NEW—Lynchburg Broadcasting Corp., Lynchburg, Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48700 kc.**, with coverage of 29,530 square miles.

NEW—Roanoke Broadcasting Corp., Roanoke, Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47100 kc.**, with coverage of 34,350 square miles.

NEW—Review Publishing Co., Alliance, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **47100 kc.**, with coverage of 2,644 square miles.

NEW—Jack M. Draughon and Louis R. Draughon, d/b as WSIX Broadcasting Station, Nashville, Tenn.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46100 kc.**, with coverage of 16,000 square miles.

TELEVISION APPLICATION

NEW—Twentieth Century-Fox Film Corp., Boston, Mass.—Construction permit for a new experimental television broadcast station to be operated on Channel #1 **(50000-56000 kc.)**, A3 and A5 emission.

MISCELLANEOUS APPLICATIONS

NEW—A. H. Belo Corp., Dallas, Texas (area of)—Construction permit for a new developmental broadcast station to be operated on **99800 kc.**, or any other frequency assigned by the Commission, power of 1 KW or less, special emission for FM.

NEW—State Teachers College at West Chester, Pa., West Chester, Pa.—Construction permit for a new non-commercial educational broadcast station to be operated on **42100 kc.**, with power of 1 KW, and special emission for FM.

NEW—The Ohio State University, Area of Franklin Co., Ohio—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, with power of 125 watts, and A3 emission.

W7XTE—Temple V. Ehmsen, Portland, Ore.—Modification of construction permit (B5-PEX-50, which authorized construction of a new developmental broadcast station) for extension of completion date from 6-30-45 to 12-30-45.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission issued no complaints this week.

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Charlotte Mercantile Co., et al.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act in connection with purchases of merchandise has been issued against Jasper W. Efird, 200 West 34th Street, New York; Charlotte Mercantile Co., Charlotte, N. C.; and 37 incorporated Efird Department Stores located in North Carolina, South Carolina and Virginia, for which Efird is purchasing agent. Charlotte Mercantile Co. operates one or more retail department stores in North and South Carolina and is also engaged in selling merchandise at wholesale chiefly to the Efird stores. (3955)

L. R. Kallman & Co., 43 East Ohio Street, Chicago, has been ordered to discontinue disseminating false advertisements concerning two cosmetic preparations sold under the names "Digitite" and "Chin-Ep," the latter formerly called "Chin-Up." (4966)

Joseph Sperling, Inc., furrier located at 709 13th Street, N. W., Washington, D. C., has been ordered to cease and desist from making misrepresentations in connection with the sale of fur garments. (5113)

STIPULATIONS

During the past week the Commission announced no stipulations.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 17, April 27, 1945

CLEAR CHANNEL HEARINGS POSTPONED

The Federal Communications Commission announced that the Clear Channel Hearing (Docket No. 6741) scheduled to open May 9, has been postponed until Wednesday, September 5, 1945, at 10:30 a.m. In announcing the postponement, the Commission observed that it is important that preparations for this hearing be thorough and complete so that a decision may be reached on the basis of a comprehensive record. Conferences with interested parties indicate that such comprehensive record could not be gotten ready in time for the May 9 hearing, hence the postponement.

Three engineering committees composed of representatives of the Commission and other interested persons, already have been established to assemble information and prepare comprehensive reports. These committees are:

Committee 1—Determination of what constitutes a satisfactory signal.
Committee 2—Determination of what constitutes objectionable interference.
Committee 3—Determination of distances to which and areas over which various signal strengths are delivered.

The work of these committees will continue through the summer and the reports are expected to be available in advance of the hearing. A fourth committee, also made up of Commission personnel and outsiders, is concerned with the problem of conducting a survey of listening. While the survey will be conducted by the Commission, it is receiving the active cooperation of all elements of the industry concerned with listener surveying.

The Commission further announced that staff committees have been set up to prepare material on all of the issues involved in the proceedings. Industry members are urged to proceed with diligence in the preparation of any material which they may care to submit. FCC's staff is available for conferences or assistance in any matter connected with the proceedings and arrangements for such conferences should be made through FCC General Counsel or Chief Engineer.

DIRECTOR-AT-LARGE ELECTION UNDER WAY

The Board of Directors having announced, pursuant to the Government's request that meetings involving more than 50 persons from outside the community in which the session is held, that no annual meeting will be held in 1945, the election of Directors-at-Large for the one year term to begin July 1, 1945, is being conducted by mail ballot.

Ernst & Ernst has been engaged to handle all of the details incident to the balloting. Primary ballots are being mailed to all member stations today (Friday). Each member is entitled to vote for two of the candidates, whose names appear alphabetically upon the ballot, in each classification—large stations, medium stations and small stations. These ballots are returnable to Ernst & Ernst by not later than May 17. At that time the votes will be canvassed to determine which four candidates in each classification have received the highest number of votes. When this has been certified another ballot will be mailed to all members containing the names of these twelve nominees, four in each classification.

This mailing will be made on May 25 with ballots returnable by June 14. The two candidates receiving the highest number of votes in this second balloting will be certified as the Directors-at-Large for the respective classifications, with terms beginning July 1, 1945. Members are urged to give this balloting prompt attention. It is quite important that every member station exercise its franchise in this election and participate in the selection of those who are to sit on the Board to determine industry policy.

BORTON 5TH DISTRICT DIRECTOR

F. W. Borton, President of the Miami Broadcasting Company, operators of WQAM, has been elected Director from the 5th District (Alabama, Georgia, Florida, Puerto Rico), for the two-year term beginning July 1, 1945. He will succeed John C. Bell, WBRC, Birmingham, the present Director.

The election was conducted by mail ballot, since the Government policy respecting meetings necessitated a division of the 5th District meeting into two sections, foreclosing the holding of the election. Mr. Borton is one of the pioneers of the broadcasting industry and has always taken an active interest in industry matters.

REINSCH RETURNS TO COX STATIONS

J. Leonard Reinsch, whose appointment as Press and Radio Secretary to President Truman was announced in last week's REPORTS, has terminated his full time White House connection at the request of Governor James M. Cox, head of the Cox radio interests (WHIO, WSB, WIOD). Governor Cox had at first advised President Truman that he would be very glad to make Mr. Reinsch's services completely available for press and radio work at the White House and the President had accepted the offer and announced Mr. Reinsch's appointment.

However, Governor Cox felt on reconsideration that Mr. Reinsch's services in connection with his radio interests were imperative and asked the President to be relieved of his commitment. The President agreed to release Mr. Reinsch with the understanding that he will be available for consultation and advice with respect to radio. He is thus serving as a radio adviser, subject to call of the President. He assisted in the preparation and airing of the President's address at the United Nations Conference in San Francisco on Wednesday (25).

His new status makes it possible for Mr. Reinsch to con-

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

tinue as a member of the NAB Board as one of the two Directors-at-Large for large stations and also to continue as a candidate for re-election to that position for the term beginning July 1, 1945, for which he was chosen by the Nominating Committee.

SMALL MARKET STATIONS COMMITTEE MEETS

The Small Market Stations Committee, one of NAB's most active standing committees is meeting in Washington at the time these REPORTS go to press. This Committee deals with those problems that are of special concern to stations of less than 5,000 watts power, operating in communities of less than 50,000 population.

There are approximately 393 stations which come in this category, comprising approximately 45 per cent of the total number of stations and of this number almost 300 are members of NAB.

In opening the meeting Harold Ryan, NAB President, said, "In my trip around the Districts of the NAB I was more convinced than ever that as we have a basic unit in such statistical measurements as BMB, so in broadcasting our basic unit is the small stations in the small markets. Unless we maintain a sound and healthy condition in our foundation unit, the superstructure cannot be sound and flourishing. Consequently, the primary function of the industry Association must be to maintain a strong and healthy condition in the small stations in the small markets."

Those members of the committee attending the meeting are Robert T. Mason, WMRN, Chairman; James R. Curtis, KFRO; Marshall H. Pengra, KRNR; David Rosenblum, WISR; Harry R. Spence, KXRO; and Dietrich Dirks, KTRI. NAB Board members who are on the Board Liaison Committee of the Small Market Stations Committee were also present. Lewis H. Avery, NAB Broadcasting Advertising Director, serves as secretary.

At luncheon on Thursday, the Committee had as its guests, in addition to President Ryan, Arthur Stringer, Howard Frazier and Paul Peter of the NAB staff; Col. Edward M. Kirby, Chief, Radio Division, Public Relations Bureau of the War Department; Eugene Carr, Chief, Radio Section, War Finance Division, Treasury Department; and George Ludlam, Chief, Domestic Radio Bureau, Office of War Information.

A complete resume of actions taken by the Committee will be given in next week's REPORTS.

DOROTHY LEWIS IN SAN FRANCISCO

Mrs. Dorothy Lewis, NAB Coordinator of Listener Activity, is attending the San Francisco Conference in an official capacity. She has been accredited both as an Association of Women Directors reporter for Radio Station WCAU and as an observer for NAB and AWD. Her specific assignment is to gather information with reference to those matters of peculiar interest to American womanhood which arise out of or are incident to the historic Conference now being held in the Bay City.

Mrs. Lewis will send information to the over 500 women broadcasters in the NAB member stations who are members of the Association of Women Directors. It is felt that this background and live news material will make it possible for the women directors in the various stations to more adequately and efficiently serve their listeners. Mrs. Lewis is stopping at the Sir Francis Drake Hotel.

In her first report made yesterday, the day following the brief opening session, Mrs. Lewis advises that she had an opportunity to renew acquaintance with many friends of the Association of Women Directors and of the United Nations Campaign. Among others with whom she has made contact are Madame Bonnet of France, Madame Georg Bech of Denmark and several others. Among those attending as official consultants are Mrs. La Fell Dickinson, Mrs. William Sponborg, Mrs. William Hastings, Mrs. Julius Talmadge, Miss Margaret Hickey, and Mrs. Wesley Frost, each a president of some prominent group.

Mrs. Lewis is setting up exclusive interviews with leading women delegates and is also participating actively in all conference proceedings and social functions. Next week's issue of the NAB REPORTS will carry some exclusive material of interest to the AWD members.

FCC UPHOLDS WPEN RELIGIOUS POLICY

The Federal Communications Commission has denied the petition filed by the Philadelphia Gospel Broadcasters Association protesting the cancellation by Station WPEN of sponsored religious broadcasts by ten of their member groups. In a letter to Mr. William S. Bennet, attorney for the Gospel Broadcasters Association, T. J. Slowie, FCC Secretary, wrote as follows:

"The Commission has considered the petition and complaint which you filed on behalf of Philadelphia Gospel Broadcasters Association with reference to the action of Station WPEN, Philadelphia, Pennsylvania, in discontinuing religious broadcasts which had been sponsored by the various organizations in your group.

"In response to Commission inquiry regarding the new policy in handling religious programs, the station has advised that approximately three hours will be sold for religious programs on Sunday to be divided among the several religious groups, including the groups which you represent. In addition, approximately three hours will be made available on Sunday without charge to the various religious denominations. Moreover, during the week, periods of time will also be allotted for various religious broadcasts.

"The policy of Congress as expressed in the Communications Act of 1934 contemplates that the selection and presentation of radio programs shall be vested in the individual station licensee. Licensees are, however, required to operate in the public interest and the Commission has construed this obligation as requiring presentation of a diversified program balance.

"The Commission has carefully considered the matters alleged in your complaint and the representations made to it by the licensee of Station WPEN to determine whether there has been a violation of the licensee's obligation to operate in the public interest. The Commission is of the opinion that the representations of Station WPEN are consonant with the licensee's obligation to present a diversified and well-rounded program service. For the foregoing reasons, the Commission has today denied your petition."

KIWANIS RADIO WEEK PLANS NEARING COMPLETION

With additional Kiwanis Clubs announcing preparations for Kiwanis Radio Week, May 13-19, and numerous requests for material coming to NAB headquarters, recognition of broadcast stations and national networks in the United States and Canada promises to carry a full international impact when the mid-May dates roll around.

NAB Special 25th Anniversary Bulletin No. 8 is in preparation. This is a twenty-five year chronology of radio, including the development of radio communication and highlights of news and special events reporting since 1920. The Bulletin will be placed in the hands of Kiwanis Clubs staging meetings in honor of broadcasters, as well as in the hands of stations themselves.

Ford Worthing, Director of the Public Relations Department of Kiwanis International, Chicago, will be in Washington Friday to confer further with Willard D. Egolf, NAB Director of Public Relations.

NATIONAL ASSOCIATION OF MUSIC MERCHANTS MAKE 25TH ANNIVERSARY TIE-IN

The National Association of Music Merchants, most of whose members sell radio sets, is considering tie-ins with Radio's Twenty-Fifth Anniversary. Following is an item from the Association Bulletin:

"This year is the 25th anniversary of commercial radio broadcasting. Does this suggest an interesting window display featuring old crystal sets—the early 'wet battery' multiple dial receivers—the first 'A.C.' sets—fan postcards we used to send to prove we could get 'distance.' An entire generation has grown up since radio's early days. Tie-up your promotion with the future of 'F.M.'—television, etc.

"If and when you used a window of this sort, please send us a picture if one is available."

NAB is now preparing to supply merchants with mats of the Anniversary symbol for newspaper and periodical advertising.

OVERSEAS APPLAUSE FOR KDKA GLOBAL SHOW

The "Let's Go to Town" program prepared under direction of Task Force Commander Joseph Baudino, general manager, KDKA, is bringing mail from many Pittsburgh and Philadelphia GI's.

Several quotes, indicating their keen enjoyment, follow:

Corporal Jack Gallagher wrote KDKA from somewhere up at the fighting front in Germany after he heard the "Let's Go to Town" show: "As soon as I heard KDKA I knew that was where I left off more than three years ago. . . . The goal line isn't too far away and we still have the ball. That means everything because, over here, time doesn't run out. I am still a Pittsburgher all the way."

400 STATION MANAGERS CERTIFY PROGRAM MANAGERS

Thus far NAB has received replies from approximately 400 station managers certifying their program managers for receipt of Special Program Managers Bulletins addressed directly to the program managers.

In this manner it is intended to provide extra copies of these instructive Bulletins for the Program Department, where they can be bound for permanent reference.

Issuance of the Bulletins will be resumed as soon as the industry has had opportunity to make a full return of the certification blanks. Station managers now holding blanks are requested to consider the matter and provide certification for these mailings as early as possible.

Said Lt. Edward J. McIntyre, March 26: "This finds me in Germany more or less on the alert to be ready to go to the other side of the Rhine. Naturally I'm looking forward to seeing dear old Pittsburgh which you and the staff of KDKA brought so close to me for a short while today. . . ."

T. E. Canon, Capt., Medical Corps, caught the KDKA "Let's Go to Town" show and wrote: ". . . And all news about travel and sports events were intently listened to. . . ."

"We Thought We Were Dreaming"

Bud Belcher, in France, wrote: "I can assure you of one thing and that is we (meaning two other Pittsburgh boys) really were all ears when we heard the program start. When they mentioned Bill Hinds, Johnny Boyer and Bernie Armstrong, we thought we were dreaming. It sure was swell and was a good job of a make-believe trip through the old town. . . ."

Program—"Most Perfect 15 Minutes"

A friend passed to KDKA a letter from Lt. James R. Thomas, Brackenridge, Pa., with the medical detachment of the 315th infantry of the famous Lorraine Cross Division. Though recovering from shrapnel wounds he wrote: "It was the most perfect 15 minutes I have spent in the European Theatre."

S/Sgt. William Fisher wrote: "Yesterday we heard a radio program from KDKA, Pittsburgh. It was a real treat to bear Bill Hines and Bernie Armstrong. I could just picture Pittsburgh . . . the crowds of people down in front of the big clock in front of Kauffman's . . . some waiting for streetcars . . . some bustling into the stores, and others occasionally checking their watches with the big clock."

2 Shows from Newark

Two more "Let's Go to Town" shows have been shipped to Armed Forces Radio Service:

DISTRICT II

Newark ....Lee Stewart, WAAT, *TFC
(2—30-min.)

MORE RADIO KUDOS

Radio Council of the Omaha Area recently sent to all Omaha stations and the national networks letters of appreciation for the programs aired subsequent to death of the late President Franklin D. Roosevelt.

---

* Task Force Commander.

According to Dorothy Lewis, NAB Coordinator of Listener Activity, "the spirit reflected in these letters is found to be shared by other groups and individuals encountered on my trip west to the San Francisco Conference."

Copy of letter from Radio Council of the Omaha Area, signed by Mrs. H. W. Ottman, President, is herewith reprinted:

"The Radio Council of the Omaha Area salutes American Radio for the manner in which it met the challenge of the official mourning period for the late president, Franklin Delano Roosevelt.

"The beautiful music rendered, the sincerity of all commentators, and tributes paid were outstanding memorials and contributed greatly to the unity of the nation in a time of crisis."

APPROVE BONDS AS PRIZES

The Commissioner of Internal Revenue and the National War Labor Board has issued the following statement approving prizes in war bonds for sale of war bonds:

> "Employers may, without the approval of the National War Labor Board or the Commissioner of Internal Revenue, establish a plan to award prizes in War Bonds and stamps to employees other than those whose principal activity is concerned with the sale of War Bonds, or officers and other company officials, for the sale (outside of their regularly assigned duties) of War Bonds to individuals during any War Bond Drive, provided that the awards made by a particular employer during any drive are not made to an excessive number of employees and that the maximum amount of War Bonds and stamps awarded to any one employee during any Drive does not exceed $500.00 (issue price). To meet the 'excessive in number' prohibition, the employer must formulate his plan on such competitive basis as to prevent the award of prizes to so many employees that he would in effect be granting wage and salary increases."

ENTIRE BAKING INDUSTRY BACKS 7TH

The American Institute of Baking has marshalled the entire baking industry back of the 7th War Loan.

An empressive six-page brochure is being distributed to the trade nationally. Among other suggestions made therein is the purchase of broadcast time.

RETAILERS HAVE PLAN FOR BACKING 7TH

A copy of the 12-page retailers' program for the 7th War Loan, prepared by Treasury's War Finance Division's Retail Section, and mailed to all retailers, also has been sent all radio stations. Accompanying letter urges fullest broadcast cooperation, pointing out retailers are now receptive to suggestions for extra radio advertising as part of their campaign in the 7th Drive.

PROCEDURE FOR LOCATING STATIONS WITHIN NATIONAL FORESTS

The Forest Service of the United States Department of Agriculture has cooperated with the Federal Communications Commission in establishing the procedure to be followed in locating radio transmitting or receiving stations on Federal Government land within the boundaries of national forests.

The new procedure anticipates the development of FM, television and radio relay stations, which in some instances will require the use and occupancy of Federal Government lands. The notice to Regional Foresters issued by C. M. Granger on Behalf of Lyle F. Watts, Chief, reads as follows:

"A variety of circumstances suggests the need for early action with reference to national forest areas suitable as sites for radio transmitting and receiving stations. Extensive programs for the development of frequency modulation and television systems are merely awaiting the close of the war for their initiation. Discussion of the subject with members of the Federal Communications Commission suggests the desirability of announcement by the Forest Service of adequate policies and procedures. The instructions which follow are to be incorporated in the Uses section of the Forest Service Manual but shall be regarded as operative as of this date:

> "*Radio Transmitting and Receiving Stations.* Applications for special use occupancy of lands suitable as sites for radio transmitting and receiving stations should be given particular attention. The future importance and significance of areas adapted to such use may be exceptional. The fact that frequency modulation and television stations function most effectively within the limit of the horizon creates the probability of a widespread demand for sites suitable for such stations. It also is probable that "booster" or relay stations increasingly will require suitable areas of national forest land. Public interest therefore requires adoption of all practicable measures to guarantee that suitable sites shall be available.
>
> "The possibility exists that a number of stations operating on different frequencies readily and effectively can utilize the same area of land or possibly even the same tower or mast. That will perhaps be determined within a relatively brief period. It now seems established that such stations can operate satisfactorily within relatively close proximity to each other. If, therefore, the total area available for station occupancy at any one point is sufficient to accommodate several stations, the issuance of a permit authorizing one station to occupy the small area it required would not give it a monopoly of the site.

"When an application for a special use permit to install a radio transmitting or receiving station on national forest land is received the procedure will be as follows: (1) The site will be examined to determine whether its occupancy for such use can be authorized without conflict with other national forest or public interests. (2) If the finding is affirmative the applicant will be so advised, and be apprised of the conditions to which the permit would be subject but will be told that the permit cannot be issued unless or until the establishment of the proposed station has been cleared and authorized by the Federal Communications Commission. (3) At the same time the forest supervisor will prepare a memorandum describing the physical characteristics of the site applied for, its elevation, topography, character of cover, present occupancy, possibility of conflict with other uses, etc., and will also indicate briefly the availability of other sites in the same general vicinity which are similarly suitable for occupancy by radio transmitting or receiving, or booster, stations. (4) That memorandum will be transmitted to the Regional Forester, who will transmit it to the office of the Chief, who will transmit it to the Federal Communications Commission for use in consideration of the application for approval and authorization of the station applied for. (5) The FCC will then consider the application in all of its aspects, including nature of service and coverage of proposed station, compatibility with other authorized or prospective stations or systems, stipulations requisite to protection of public interests, etc. (6) Approval and authorization of FCC, if granted, will then be transmitted to applicant, who will submit it to the Forest Supervisor. (7) Permit to occupy the proposed site may then be issued. It should contain the following special stipulations:

> "Station to be operated only in conformity with the regulations and requirements of the Federal Communications Commission. Permit shall become null and void if authority for operation of station is rescinded by said Commission.
>
> "Station shall not be operated so as to conflict with Forest Service radio communication on frequencies authorized by Interdepartment Radio Advisory Committee.
>
> "If the Federal Communications Commission shall determine that it is practicable and in the public interest to authorize joint use by another station of the apparatus

and facilities installed and operated by the permittee, upon payment of a just and equitable proportion of the costs of installation, maintenance and operation, the Forest Service shall have the power to authorize such joint use of the site covered by this permit."

SOUTHEASTERN STATIONS PRAISED

In a letter signed by Major General F. E. Uhl, Commanding General for the Fourth Service Command, Atlanta, Georgia, addressed to Campbell Arnoux, 4th NAB District Director, high praise is given to the contribution which the stations in the southeastern states gave to the program to recruit WACs for hospital service. General Uhl's letter follows:

"In the recent program to recruit thousands of WACs to serve our wounded in General Hospitals throughout the nation, Fourth Service Command met with gratifying success. A three month quota was filled in one month, nine days; a performance which permitted this Command to finish second to all Service Commands in this recruiting competition.

"Although I look upon this accomplishment with justifiable pride, the important thing to me is that personnel in the Command and in the seven Southeastern States which comprise it, can look any wounded American soldier straight in the eye and say, 'We did our part to supply you with sufficient care and in sufficient time.' I am thankful that it did not have to be a 'too little and too late' answer.

"Many agencies and individuals, including the Governors of these Southeastern States who provided the leadership for the recruiting program, made this answer possible. One of the most important agencies giving assistance were the radio stations in these States. Over their airways—by means of radio spots and short entertainment programs featuring the Women's Army Corps—women of the Southeast were informed of the great need for WAC hospital technicians and were urged to take their place at the bedside of a fallen American—immediately. Such radio publicity afforded our recruiting personnel invaluable aid.

"Please convey my thanks to the radio stations of the Southeastern States within your District—North Carolina and South Carolina—for their cooperation in making this recruiting program a noteworthy success."

STANDARDS FOR RADIO JOURNALISM

The Council on Radio Journalism, formed by joint action of NAB and the American Association of Schools and Departments of Journalism, has prepared and issued "Standards for Education for Radio Journalism."

These standards were formulated by a committee consisting of: Mitchell V. Charnley, Professor of Journalism, University of Minnesota, *Chairman;* Wilbur Schramm, Director, School of Journalism, University of Iowa; and E. R. Vadeboncoeur, program director, WSYR, Syracuse. The suggested standards are reprinted herewith:

This statement of minimum standards for education for radio journalism is intended as a guide to colleges and universities offering curricula to prepare young men and women for employment in radio news rooms and in other forms of radio journalism. It is not the purpose of the Council on Radio Journalism to lay down detailed requirements for individual courses, nor for departmental jurisdiction. The Council contends, however, that any program of education for radio journalism should be designed to conform effectively to the general principles and specific goals here presented.

I. The basis of all education for radio journalism is sound general education that will provide a foundation for an understanding of the modern world in which radio is a vitally important means of communication.

Preparation for radio journalism should be offered as part of a curriculum of not less than four academic years, leading at least to a bachelor's degree.

At the completion of such a curriculum, the student should have gained a comprehensive background in the social studies—government and political science, economics, history, geography and sociology; a grounding in natural science and in psychology; a reading (and, when possible, a speaking) knowledge of at least one modern foreign language; and a broad knowledge of English and American literature and composition. It is urged that this background of general education constitute the major portion of his academic work.

II. Students should be provided opportunity to acquire an understanding of the importance of radio as a social instrument and of its relationship to government, industry and the public.

The student should be thoroughly grounded in the broad field of communications, especially radio and the press. Such grounding should include the history of communications; government regulation and the relationship of radio communication to government in the United States and in the major foreign countries; radio's social and legal responsibilities, its influence in the formation of public opinion, its position as an implement of business and as an advertising medium; press and radio law; codes and practices in broadcasting; and the attitudes of the public toward broadcasting, together with an introduction to the techniques of radio audience measurement and other pertinent survey methods.

III. Students should be provided training of professional quality in the skills and techniques of radio journalism, together with an adequate understanding of other aspects of broadcasting.

Essential among these skills and techniques are:

The handling of news (news sources; news gathering and news writing; news editing); the structure and operation of the news services; the operation and use of newspaper and radio wires.

Processing news for radio; radio news style; news broadcast patterns; gathering and writing local news for radio; special events and on-the-spot coverage; the commentary; the interview; news dramatization.

Microphone technique—fundamentals of the actual broadcasting of news.

The student should also have the opportunity to obtain basic knowledge and training in other aspects of radio broadcasting. These include:

Radio production, radio programming and allied subjects.

Radio advertising—its economics, script forms, merchandising and marketing, servicing and sales.

Station operation, management, public relations, and promotion.

Elementary electronics; control room and studio operation; the development of television, frequency modulation and facsimile.

IV. Teachers of radio journalism should be soundly equipped, by practical experience, by education and by broad understanding of radio's special values and implications.

Members of faculties engaged to teach courses in radio journalism must have had adequate professional experience to enable them to present courses at the professional level. They should be fully qualified by college or university training and professional experience to deal competently and understandingly with their subjects. Those responsible for instruction in graduate courses should have had sufficient advanced academic training or professional experience to equip them to teach such courses on the level of competency existing in other disciplines.

V. A college or university, to offer acceptable preparation for radio journalism, should possess or have access to adequate laboratory equipment and library and other facilities.

Courses in radio Journalism can be effectively offered only where adequate laboratory facilities provide opportunity for realistic practice and experiment. Such facilities should include standard radio studios, record libraries, sound equipment, record-cutting and playback equipment, etc. Arrangements for students to broadcast their work, and to hear it broadcast, are recommended. For students of radio news, a regular news wire service is considered minimum equipment. Arrangements with radio stations for "internships" are strongly recommended.

There should also be available library facilities with radio materials comparable to those available in other disciplines. These should include an extensive collection of the books on radio journalism, the press and communications; a collection of radio scripts; files of the principal trade and technical publications dealing with broadcasting; files of governmental and radio-industry reports, brochures and like material in the field; and readily available for reference and background material necessary to provide practical experience in radio news work.

TWO RADIO WOMEN HONORED BY Y.M.C.A.

For the first time in that organization's history, two women, Miss Margaret Cuthbert and Miss Helen Sioussat, have been named to serve on the National Public Relations Committee of the Young Men's Christian Association, according to word received at NAB from the National Council of Y.M.C.A.'s New York City headquarters.

Miss Cuthbert is Director of Women's and Children's programs for NBC, and Miss Sioussat is Director of Talks for CBS.

FCC SUPERVISORS TO MEET

Regional supervisors and district inspectors-in-charge of the Radio Intelligence Division and the Field Division of the Federal Communications Commission from the Continental United States, Alaska, Hawaii, Puerto Rico and Virgin Islands, will meet in Washington for a four-day session beginning May 1, to discuss future plans of operation and latest developments in techniques.

The Radio Intelligence Division is headed by George E. Sterling, Assistant Chief Engineer. George Turner is chief of the Field Division.

CAN PRIVATE ENTERPRISE TAX?

The following *letter-to-the-editor* on Petrillo and taxes appears over the signature of T. T. W., Jr., of Milton, Mass., in the April 23 edition of *The Christian Science Monitor:*

Does not the issue re "Petrillo Taxes" and also "Lewis Taxes" resolve to the question: Can private enterprise collect "private taxes" and apply them for private purposes at the expense of the people of the United States under the Constitution?

If this is the question, the sooner it is passed to the Supreme Court of the United States for adjudication, the more "hot words" will be saved.

WMAZ COFFEE CLUB BOOSTS MORALE

Station personnel gather in WMAZ's largest studio for a hot cup of coffee each morning at 8:45 and get anything they wish "off the chest." Discussions run from business to last night's dates. Management makes no effort to "steer" discussions and staff members praise or "pan" each other at will.

The WMAZ Coffee Club has practically eliminated the grapevine and made a very happy staff. Furthermore, the discussions give the employes a chance to learn the broad overall picture of the station's operation and policies. Even transmitter engineers make it a point to find business at the studio at 8:45 each morning. Management asserts the morning coffee club is one of the best investments it has ever made.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 30. They are subject to change.

Monday, April 30

Broadcast
To Be Held in U. S. District Court House
Grand Jury Room, 6th Floor
Post Office Building, San Juan, Puerto Rico

WPRP—Julio M. Conesa, Ponce, Puerto Rico—C. P. to install new transmitter and antenna and change frequency; **1520 kc.**, 5 KW day, 1 KW night, unlimited.

WPRP—Julio M. Conesa, Ponce, Puerto Rico—Applicant for renewal of license; **1420 kc.**, 250 watts, unlimited.

WPRP—Julio M. Conesa, Ponce, Puerto Rico—Applicant for modification of C. P.; **1520 kc.** (under NARBA), 1 KW night, 5 KW day, unlimited.

WPRP—Julio M. Conesa, Ponce, Puerto Rico—C. P. to move transmitter and install new antenna.

WPRP—Julio M. Conesa, assignor, and Voice of Porto Rico, Inc., assignee, Ponce, Puerto Rico—For voluntary assignment of license; **1420 kc.**, 250 watts, unlimited.

NEW—Consolidated Broadcasting Corp., Ponce, Puerto Rico—C. P. for a new station; **1420 kc.**, 250 watts, unlimited (requests facilities of WPRP).

NEW—George E. Miller, P. J. McCall, & Lou Poller, d/b as Baron Broadcasting Company, Wilkes-Barre, Pa.—C. P. for a new standard broadcast station; **1240 kc.**, 250 watts, unlimited.

Tuesday, May 1

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license; **1280 kc.**, 1 KW night, 5 KW day, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WELI—City Broadcasting Corp. (assignor), Connecticut Radio Foundation, Inc. (assignee), New Haven, Conn.—Granted consent to voluntary assignment of license of station WELI from City Broadcasting Corp. to Connecticut Radio Foundation, Inc., a newly formed corporation.

Potomac Broadcasting Corp., Alexandria, Va.—Granted request for an additional 30 days—from April 12 to May 12, 1945, to meet the terms of the conditional grant for a new station.

WKUB—American Colonial Broadcasting Corp., Arecibo, Puerto Rico—Granted request for additional time—90 days, from February 20, 1945, to May 19, 1945, to meet the terms of the conditional grant for a new station.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Granted extension of special service authorization to operate on **770 kc.**, 25 KW night, 50 KW-LS, unlimited time, using transmitter authorized under construction permit (B5-P-2783) as modified, for a period of 6 months, commencing on May 1, 1945.

KVSO—John F. Easley, Ardmore, Okla.—Granted modification of license to increase nighttime power from 100 to 250 watts.

LICENSE RENEWALS

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Granted renewal of license for the period ending May 1, 1948.

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Granted extension of special service authorization to transmit messages without charge to longshoremen in the Port of Seattle at 3:45 p. m. daily for the period commencing May 1, 1945, and ending May 1, 1946, or for the duration of the war, whichever is earlier.

KVSO—John F. Easley, Ardmore, Okla.—Granted renewal of license for the period ending August 1, 1946.

WGY—General Electric Co., Schenectady, N. Y.—Granted license to cover construction permit which authorized decrease in power and changes in transmitting equipment of auxiliary. (B1-L-1875)

WJLB—John L. Booth Broadcasting, Inc., Detroit, Mich.—Granted modification of license to change corporate name to Booth Radio Stations, Inc. (B2-ML-1214)

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted license to cover construction permit which authorized move of auxiliary transmitter to site of main transmitter, increase in power to 1 KW, and use of DA for day and night operation. (B3-L-1876)

WEHS—WHFC, Inc., Chicago, Ill.—Granted modification of construction permit which authorized a new FM broadcast station, for extension of completion date from 5-8-45 to 7-8-45.

W8XJC—New Jersey Broadcasting Corp., Jersey City, N. J.—Granted modification of construction permit which authorized a new developmental broadcast station, to change name from New Jersey Broadcasting Corp. to Atlantic Broadcasting Co., Inc. (B1-MPEX-13)

WAXJ—Lamar Life Ins. Co., area of Jackson, Miss.—Granted renewal of relay broadcast station license for the period ending November 1, 1945.

KBIB—The KANS Broadcasting Co., area of Wichita, Kans.—Granted renewal of relay broadcast station license for the period ending August 1, 1946.

WAAK—Radio Station WSOC, Inc., Charlotte, N. C.—Granted renewal of relay broadcast station license for the period ending August 1, 1946.

WCBE—Columbia Broadcasting System, Inc., Charlotte, N. C.—Present relay broadcast station license heretofore extended upon a temporary basis, was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending July 1, 1945.

The following relay broadcast station licenses were renewed for the period ending May 1, 1948:

KAAC, KAAZ, KBKC, WAEW, Columbia Broadcasting System, Inc.; KAQY, The Farmers and Bankers Broadcasting Corp.; KILB, International Broadcasting Corp.; KIGA, KSTP, Inc.; WCLA, WLBV, WLBX, Larous & Bros. Co., Inc.; KSCR, McClatchy Broadcasting Co.; WJEN, WJEP, Stromberg-Carlson Co.; WAAI, WAAQ, The WGAR Broadcasting Co.

Licenses for the following relay broadcast stations were extended upon a temporary basis only, pending receipt and/or determination upon applications for renewal, for the period ending July 1, 1945:

KIIH, KFAB Broadcasting Co.; KABE, KSTP, Inc., KAIE, KSTP, Inc.; WNBJ, National Broadcasting Co., Inc.; KBIC, KBID, KNEF, Radio Service Corp. of Utah; WAWT, Voice of Alabama, Inc.; WMJA, WMJB, WMJC, WMJD, WMJH, WBNS, Inc.; WAIO, WELR, WDZ Broadcasting Co.; WBGM, WEMC, WHER, WMFB, Westinghouse Radio Stations, Inc.; WAAH, West Va. Broadcasting Corp.; WBAF, L. B. Wilson, Inc.

WISE—Radio Station WISE, Inc., Asheville, N. C.—Granted renewal of license for the period ending February 1, 1946.

WJIM—WJIM, Inc., Lansing, Mich.—Granted renewal of license for the period ending August 1, 1946.

WCFL—Chicago Federation of Labor, Chicago, Ill.—Granted renewal of license for main and auxiliary stations for the period ending May 1, 1948.

KXEL—Josh Higgins Broadcasting Co., Waterloo, Iowa.—Granted renewal of license for the period ending May 1, 1948.

Licenses for the following stations expiring May 1, 1945, were extended upon a temporary basis only, pending determination upon application for renewal, for the period ending July 1, 1945:

KDKA, Pittsburgh, Pa.; KEX, Portland, Ore.; KFAB, Lincoln, Neb.; KGDM, Stockton, Cal.; KJBS, San Francisco; KLRA, Little Rock, Ark.; KMOX, St. Louis; KNX, Los Angeles; KPMC, Bakersfield, Cal.; KRLD, Dallas, Texas; KSL, Salt Lake City; KFBI, Wichita, Kans.; KSTP, main and auxiliary, St. Paul; KTHS, Hot Springs National Park, Ark.; KVOO, Tulsa; KWJJ, Portland, Ore.; KWKH, Shreveport, La.; WAPI, Birmingham, Ala.; WBAL, Baltimore; WBZ, WBZA, Boston; WCAR, Pontiac, Mich.; WCAU, Philadelphia; WCAZ, Carthage, Ill.; WCKY, Cincinnati; WDGY, Minneapolis; WDZ, Tuscola, Ill.; WGAR, Cleveland; WGNY, Newburg, N. Y.; WHAM, Rochester, N. Y.; WHAM, auxiliary; WHN and auxiliary, New York City; WHO, Des Moines; WIBC, Indianapolis; WIBC, auxiliary; WINS and auxiliary, New York City; WJJD, Chicago; WLAC, Nashville; WLDS, Jacksonville, Ill.; WLIB and auxiliary, Brooklyn; WMBI, Chicago; WOWO, Ft. Wayne, Ind.; WOAI, San Antonio; WQXR and auxiliary, New York City; WRVA and auxiliary, Richmond, Va.; WTAM, Cleveland; WTIC, Hartford, Conn.; WTOP, Washington, D. C.; WWVA, Wheeling, W. Va.; KYW, Philadelphia, Pa.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Present license further extended upon a temporary basis, pending final determination upon applications of KOB in Dockets 6584 and 6585, for the period ending November 1, 1945.

WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.—Present license further extended upon a temporary basis, pending determination upon renewal, for the period ending July 1, 1945.

The following developmental broadcast stations were granted renewal of licenses for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651:

W9XEK, Courier Journal and Louisville Times Co.; W9XJC, The Journal Co. (The Milwaukee Journal); W1OXR, W1OXF, National Broadcasting Co.

Licenses for the following stations were granted on a temporary basis only, for the period ending May 1, 1948, upon the express condition that they are subject to whatever action may be taken by the Commission upon their pending applications for renewal. Nothing contained herein shall be construed as a finding by the Commission that the operation of the stations is or will be in the public interest beyond the express terms hereof:

KFVD, Los Angeles; KOMA, Oklahoma City; KGA, Spokane, Wash.; KOMO and auxiliary, Seattle; KPAS, Pasadena, Cal.; KSOO, Sioux Falls, So. Dak.

MISCELLANEOUS

WMC—Memphis Publishing Co., Memphis, Tenn.—The Commission, on its own motion, continued the hearing on application for renewal of license now scheduled for April 20, to May 21, 1945.

The following applications for FM broadcast stations were placed in the pending file in accordance with Commission policy adopted February 23, 1943:

KGFF Broadcasting Co., Shawnee, Okla.; Richard Austin Dunlea, Wilmington, N. C.; McClatchy Broadcasting Co., Sacramento, Cal.; The WAIR Broadcasting Co., Winston-Salem, N. C.; Bradford Publications, Inc., Bradford, Pa.; McClatchy Broadcasting Co., Fresno, Cal.; WFAM, Inc., Lafayette, Ind.; Columbia Broadcasting System, Inc., Minneapolis.

The Wm. H. Block Co., Indianapolis, Ind.—Application for commercial television station placed in the pending files in accordance with Commission's policy of February 23, 1943.

WOKO—WOKO, Inc., Albany, N. Y.—Adopted Opinion and Order granting petition for authority to continue operation of station WOKO after April 27, 1945; and ordered issuance of Special Temporary Authorization for the continued operation of station WOKO until May 2, 1945.

The Commission scheduled oral argument to be held Wednesday, May 23, 1945, in the matter of the application of Arde Bulova and Harry D. Henshel, transferors; Murray Mester and Meyer Mester, transferees; for transfer of control of Wodaam Corporation, licensee of Station WOV, New York City. (B-209)

The Commission approved a letter addressed to the Secretary of State recommending a one year extension of the North American Regional Broadcasting Agreement from March 29, 1946 to March 29, 1947.

KSL—Radio Service Corp. of Utah, Salt Lake City, Utah.—The

Commission directed that the Special Temporary Service Authorization of KSL to operate with two Federal Telegraph (F-124-A) tubes instead of two Western Electric (298-A) tubes in the last radio stage, for the period during which Order 107 is in effect, expiring May 1, 1945, be extended upon a temporary basis only, for the period ending July 1, 1945, pending action on B5-SSA-124, upon the express condition that this authorization may be terminated by the Commission at any time without advance notice or hearing if in its discretion the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the authority herein granted is or will be in the public interest beyond the express terms hereof.

Upon petition of five FM stations in Philadelphia—WIP-FM, WFIL-FM, WCAU-FM, WPEN-FM and KYW-FM, the Commission granted waiver of requirements of Sec. 3.261 of the rules to permit continued operation of these stations under cooperative arrangement, for the period ending May 1, 1946, with condition that the Commission may revoke its waiver of Sec. 3.261 and require these stations to operate on a full time basis in compliance therewith at any time that conditions may so warrant.

Central Broadcasting Co., Wilkes-Barre, Pa.—Granted petition to intervene in the hearing now scheduled for April 30 on application of Baron Broadcasting Co. for a new station at Wilkes-Barre, Pa.

Birney Imes, Jr., Corinth, Miss.—Granted petition for continuance of consolidated hearing now scheduled for May 7 on his application and that of the Corinth Broadcasting Co. for a new station at Corinth, Miss., and continued the hearing to June 6, 1945.

WGBF—Evansville on the Air, Evansville, Ind.—The Commission on its own motion, postponed the hearing on application for renewal of license for station WGBF, from May 1 to June 1, 1945.

John M. Spottswood, Key West, Fla.—Adopted Memorandum Opinion granting petition to amend application for a new station to specify **1600 kc.**, 500 watts power, unlimited time; removed from the docket and granted application subject to policy of January 26, 1944. (Commissioners Case and Jett voting for hearing)

Voice of Talladega, Inc., Talladega, Ala.—Adopted Memorandum Opinion granting application for a new station to operate on **1230 kc.**, 250 watts, unlimited time, subject to policy of January 26, 1944. (Commissioners Case & Jett voting for hearing)

APPLICATIONS FILED AT FCC

610 Kilocycles

WSGN—The Birmingham News Co., Birmingham, Ala.—Involuntary transfer of control of licensee corporation from Victor H. Hanson, deceased, to Ruth Lawson Hanson, Executrix, and C. B. Hanson, Jr., and Henry P. Johnston, Executors under the will of Victor H. Hanson, Deceased. (1735 shares common stock—86¾%)

620 Kilocycles

NEW—Chas. H. Russell, W. B. McCarty, T. E. Wright and C. A. Lacy, a limited partnership, d/b as Rebel Broadcasting Company, Jackson, Miss.—Construction permit for a new standard broadcast station to be operated on **620 kc.**, power of 1 KW night, 5 KW day, unlimited hours of operation using directional antenna at night; AMENDED re changes in directional antenna system.

1230 Kilocycles

NEW—Albert E. Buck and Merle H. Tucker, a Partnership, d/b as Rio Grande Broadcasting Co., Gallup, New Mexico—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, with power of 250 watts, and unlimited hours of operation.

1340 Kilocycles

KCRA—Ewing C. Kelly, David R. McKinley and Vernon Hansen, d/b as Central Valleys Broadcasting Company, Sacramento, Calif.—License to cover construction permit (B5-P-3662) which authorized construction of a standard broadcast station.

KCRA—Ewing C. Kelly, David R. McKinley and Vernon Hansen, d/b as Central Valleys Broadcasting Company, Sacramento, Cal.—Authority to determine operating power by direct measurement of antenna power.

1350 Kilocycles

KID—KID Broadcasting Co., Idaho Falls, Idaho—Voluntary assignment of license to Idaho Radio Corporation.

1490 Kilocycles

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—Special service authorization to operate on **870 kc.**, power of 250 watts and limited time.

FM APPLICATIONS

NEW—The Haverhill Gazette Co., Haverhill, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46500 kc.**, with coverage of 4,340 square miles.

NEW—Hagerstown Broadcasting Co., Hagerstown, Md.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43500 kc.**, with coverage of 22,150 square miles.

NEW—Augusta Broadcasting Co., Augusta, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46300 kc.**, with coverage of 8,940 square miles.

NEW—C. G. Hill & George D. Walker, d/b as WAIR Broadcasting Co., Winston-Salem, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48500 kc.**, with coverage of 8,810 square miles.

MISCELLANEOUS APPLICATION

NEW—The Board of Education of Newark in the County of Essex, Newark, N. J.—Construction permit for a new non-commercial educational broadcast station to be operated on **42500 kc.**, power of 1 KW and A3 and special emission for FM.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Hovden Food Products Corporation, Monterey, California, engaged in packing and selling sea food is charged in a complaint issued with violation of the Robinson-Patman Act by paying brokerage or other compensation or commissions to certain direct buyers who purchase such products in their own names and for their own accounts for resale. (5303)

Philco Corporation and Philco Radio & Television Corporation, both of Philadelphia, are charged in a complaint with having misrepresented radio sets they sell with respect to their power and capacity for foreign reception and the number of tubes they contain. Philco Corporation owns a majority of the stock in Philco Radio & Television Corporation and manages its affairs and directs and controls its business policies. (5306)

Olive L. Richards, 1709 West 8th Street, Los Angeles, is charged in a complaint with disseminating false advertisements concerning Tiptex, a liquid cosmetic for the finger nails. (5305)

STIPULATIONS

During the past week the Commission announced no stipulations.

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Britt-McKinney Company, Greenville, S. C., and as Britt & Company, Spartanburg, S. C., have been ordered to cease and desist from violation of the Robinson-Patman Act in connection with their purchases of food products and other commodities. (4792)

Jaeger Shop, Inc., Saranac, N. Y., engaged in the sale of women's sportswear, to discontinue using the word "Jaeger" in any manner that may have the tendency and capacity to confuse and mislead the purchasing public into the belief that it or its products are associated with Jaeger, Ltd., of London. (5210)

Kodize Process Corporation, 1026 Virginia Ave., N. E., Atlanta, Ga., and its vice president and general manager, Max Wright, has been ordered to cease and desist from misrepresenting the properties and effectiveness of "Kodize," a product they advertise as "America's Foremost Coal Saving Process." (5206)

Dr. D. A. Williams Company, East Hampton, Connecticut, has been ordered to cease and desist from disseminating advertisements which contain false representations concerning the therapeutic properties of a medicinal preparation designated "The Williams Treatment." (4759)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 18, May 4, 1945

PROPOSED FCC RULE CHANGE—DOCKET NO. 6756

In an Information Bulletin on the FCC rules issued by NAB to all stations on April 26, it was pointed out that licensees and holders of construction permits have been invited by the FCC to comment on the desirability of making public their financial reports, business agreements, contracts affecting control of general program service or understanding affecting the use, management, or operation of licensed facilities.

In the Order of the Federal Communications Commission which was published in full in this Information Bulletin, it was ordered that oral argument should be held before the Commission on May 21 but that such requests for oral argument should be filed on or before May 9 by all persons desiring to appear and each such request should be accompanied by a brief. NAB in the bulletin requested any who filed their appearance to provide a copy so that we might keep fully abreast of developments.

We feel that it is highly important that broadcasters avail themselves of the opportunity to appear at the hearing on this rule. Thus far very few copies of notices of appearance have been filed with NAB headquarters. We again urge this matter upon the attention of station managers.

FCC WATCHING STATIONS' NEWS POLICY

The Federal Communications Commission on Wednesday (2) made public a letter to the California State Assembly commenting on a resolution adopted by that body which requested the Commission to investigate the recently-announced policy of Station KFI, Los Angeles, relative to the employment of news commentators on sponsored programs.

Following is a copy of the resolution, House Resolution 157, which was passed by a roll-call vote of 65 to 3 on April 12:

CONSIDERATION OF HOUSE RESOLUTION NO. 157

House Resolution No. 157

Relative to radio news commentators and analysts.

WHEREAS, A certain radio broadcasting station in California, KFI of Los Angeles, has recently put into operation a policy that all news commentators and news analysts must be employees of the station, and

WHEREAS, The sudden adoption of this policy has required sponsors of news programs to replace news commentators of wide experience and large public followings with employees of the station, and

WHEREAS, This action has not only been unfair to the sponsors of the programs affected and the members of the public who listened to the programs, but raises a broader issue which is a matter of concern to every person who desires to protect the freedom of speech, and

WHEREAS, Licenses are issued to radio stations on the basis of the public convenience, interest, and necessity, and entitles the station to the exclusive use of one of a limited number of channels of radio communication, and

WHEREAS, The power of a radio station over news selection and interpretation would, if uncontrolled, center a vast power in a relatively small number of such stations which are almost all under private control, and

WHEREAS, The right of free speech, guaranteed by the Constitution of the United States, connotes a right to free selection by the listener and in view of the inherent limitation on the number of radio stations, this right is jeopardized by any limitation on the dissemination of news by radio; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF CALIFORNIA, That the Federal Communications Commission is hereby requested to investigate the action hereinabove referred to and any other action which results in the control of news by owners of radio stations, and to take such steps as may be necessary fully to protect the right of the people to hear the news regardless of the personal desires, politics or whims of any radio station owner, and be it further

RESOLVED, That the Chief Clerk of the Assembly is hereby directed to send copies of this resolution to the Federal Communications Commission and to each Senator and Member of the House of Representatives in the Congress of the United States from California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Beal, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Burns, Butters, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Davis, Debs, Dekker, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Emlay, Erwin, Fletcher, Fourt, Gaffney, Gannon, Geddes, Guthrie, Haggerty, Hawkins,

NAB Reports
The National Association of Broadcasters
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

Heisinger, Johnson, Kilpatrick, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sherwin, Stephenson, Stream, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, and Mr. Speaker—65.

NOES—Field, Knight, and Stewart—3.

The Commission's letter to the Assembly follows:

"Mr. Arthur A. Ohnimus
Chief Clerk
Assembly of the State of California
Sacramento 14, California

DEAR SIR:

This will acknowledge receipt of your letter, dated April 13, 1945, with which was enclosed a copy of House Resolution No. 157.

There are enclosed for your information copies of an exchange of correspondence between the Commission and Station KFI concerning the recently announced policy of that station relative to the employment of news commentators. You will note from the station's response that it does not contemplate a complete discontinuance of news commentaries as such, but merely intends in the future to rely entirely upon network commentators furnished by the National Broadcasting Company, with which it is affiliated. However, KFI has announced that, so far as it is concerned, all of its newscasters and news analysts must be employees of the station.

Section 3(h) of the Communications Act specifically provides that radio stations are not common carriers. At the same time, Section 326 expressly forbids the Commission to exercise any power of censorship over programs broadcast by radio stations. Under the policy of the Communications Act, selection and presentation of program material is left to the discretion of the individual station licensee, and the Commission, therefore, cannot undertake to tell station licensees what programs shall or shall not be broadcast.

However, station licensees are required by the Communications Act to operate in the public interest and the Commission periodically upon consideration of station applications for renewal of licenses does review the overall operation of each station to determine if its continued operation will be in the public interest. Of particular importance in this review is the question of whether or not a balanced diversified program service has been presented by the station.

The established policy of the Commission with respect to matters of this kind is stated clearly in its decision in the *Mayflower Broadcasting Corporation* case (8 F. C. C. 333), where, in considering an application for renewal of the station's license, the Commission said:

> "More difficult and less easily resolvable questions are, however, presented by the applications for renewal of The Yankee Network, Inc. The record shows without contradiction that beginning early in 1937 and continuing through September 1938, it was the policy of Station WAAB to broadcast so-called editorials from time to time urging the election of various candidates for political office or supporting one side or another of various questions in public controversy. In these editorials which were delivered by the editor-in-chief of the station's news service, no pretense was made at objective, impartial reporting. It is clear—indeed the station seems to have taken pride in the fact—that the purpose of these editorials was to win public support for some person or view favored by those in control of the station.
>
> "No attempt will be made here to analyze in detail the large number of broadcasts devoted to editorials. The material in the record has been carefully considered and compels the conclusion that this licensee during the period in question, has revealed a serious misconception of its duties and function under the law. Under the American system of broadcasting it is clear that responsibility for the conduct of a broadcast station must rest initially with the broadcaster. It is equally clear that with the limitations in frequencies inherent in the nature of radio, the public interest can never be served by a dedication of any broadcast facility to the support of his own partisan ends. Radio can serve as an instrument of democracy only when devoted to the communication of information and the exchange of ideas fairly and objectively presented. A truly free radio cannot be used to advocate the causes of the licensee. It cannot be used to support the candidacies of his friends. It cannot be devoted to the support of principles he happens to regard most favorably. In brief, the broadcaster cannot be an advocate.
>
> "Freedom of speech on the radio must be broad enough to provide full and equal opportunity for the presentation to the public of all sides of public issues. Indeed, as one licensed to operate in a public domain the licensee has assumed the obligation of presenting all sides of important public questions, fairly, objectively and without bias. The public interest—not the private—is paramount. These requirements are inherent in the conception of public interest set up by the Communications Act as the criterion of regulation. And while the day to day decisions applying these requirements are the licensee's responsibility, the ultimate duty to review generally the course of conduct of the station over a period of time and to take appropriate action thereon is vested in the Commission."

The Commission is fully conversant with the situation and is awaiting developments. Should it develop that KFI's new policy is not in accord with the principle of objective presentation of the news and represents the adoption of a definite editorial policy by the station, a violation of the *Mayflower* decision would be involved. In such a situation, the Commission could then call upon Station KFI in connection with its application for renewal of license to show why its license should not be withdrawn because of its failure to operate in the public interest.

By Direction of the Commission,

T. J. SLOWIE,
Secretary."

RADIO NEWS EDITORS BEWARE

The need for careful examination of all copy coming into radio stations on press and radio wires is no better illustrated than by the incident recently brought to the attention of NAB. NAB President Ryan made a release of his statement on the passing of President Roosevelt. The copy which was sent to the press and radio wire services read in part as follows:

"Now, in the hour of his death, radio responds to the sound of his name with overtones of **immortality.** * * *"

One of the press services carried the word "immorality" instead of "immortality." If anything more is needed to emphasize the responsibility of station radio editors than this, we would like to have it called to our attention.

SPECIAL AWD RELEASES

The first of the special releases prepared by Dorothy Lewis who is attending the San Francisco Conference is being mailed with this copy of NAB Reports. Station managers are urged to scan these carefully and route them to their women's director. We believe that this service will ultimately benefit radio's coverage of the Conference.

RADIO UNAFFECTED BY CURFEW

A press dispatch from Pittsburgh last week told of the action of the regional office of the War Manpower Commission in banning the playing of radios in restaurants after 12 o'clock midnight. NAB felt that this was an unwarranted interference with radio, involving a form of censorship. The matter was immediately taken up with national WMC headquarters and action was taken which brought about a rescinding of the Pittsburgh area office directive.

Should any agency attempt to ban radio reception after 12 midnight, or at any time, station operators are urged to call it to NAB's attention.

RADIO
1920 - 1945
XXV

KIWANIS RADIO WEEK BULLETIN WITH THIS ISSUE OF REPORTS

Special Anniversary Bulletin 8 is enclosed with this issue of NAB Reports. It also has been sent to all Kiwanis Clubs staging meetings in honor of broadcasters.

Bulletin 8 offers broadcasters a comprehensive chronology covering 25 years of commercial broadcasting and is offered for immediate use in connection with observance of Kiwanis Radio Week, May 13-19, as announced April 13 in 25th Anniversary Bulletin No. 7.

An examination of the eight bulletins thus far issued on 25th Anniversary will reveal much material for use in Kiwanis Radio Week and future occasions during the year.

PLAN FOR "TELLING THE WORLD"

All stations, coast-to-coast, this week received an outline of the plan of "Telling the World of Radio's Part in the 7th War Loan." Pamphlet of explanation points out that just as the 7th War Loan is the next public service job, the 7th is likewise the next big league service-news event.

Plan is based on receipt of regular individual station reports of support behind the Mighty Seventh. Without them there can be no "Telling the World." Each week stations will be mailed reporting forms for return to NAB. Second form, for the May 13-19 period, will be received at all stations between May 12 and 14.

LET'S FINISH "LET'S GO TO TOWN"

Events now transpiring in Europe and in the Pacific are reasons why all Task Force Commanders with uncompleted assignments are urged to finish the job.

General Eisenhower asked for 180 hometown shows. A total of 127 have been produced. On this basis, the industry is short 53 shows.

SEND IN YOUR PHOTO PRINTS

NAB News Bureau wishes to express appreciation for the large volume of pictures portraying 25 years of radio that have been received in response to a recent request.

If for any reason you have delayed mailing yours, please send them at once, *addressed on the envelope* to attention of Bruce Starkey, Chief, NAB News Bureau.

Excellent care will be taken of prints, and they will be returned.

Below are interesting letters received from listeners in New Guinea and Canton Islands.

A Little of St. Louis—'Way Out Here

When Lt. Fred O. Von Dorn, St. Louis, heard the Let's Go to Town program in the Canton Islands, the self-styled "Canton Castaway" sat right down and wrote a letter.

It was sent to La Verne Rosenow, former "Washington University Queen," well known to the young Lieutenant, and a member of the St. Louis program cast.

"I was tuning one of our receivers," wrote Lt. Von Dorn, "and I heard some fellow talking about St. Louis. So I tuned a little closer, and, pretty soon, I heard him giving out talk about Art Hill, The Zodiac, Union Station, Lindell Buses, Muni Opera, Garavelli's and, best of all, Washington University. So you see, way out here, I got a little of St. Louis just as though I were right there, and it was swell.

"I do want you to tell all those swell people who made that broadcast possible, it was O. K. It really makes a fellow happy to hear, personally and directly, about so many things so dear and near to him."

John W. Tinnea, KWK, was Task Force Commander for this show and the second St. Louis production which followed.

Norfolk Show Heard in New Guinea

Thanks for the Norfolk "Let's Go to Town" program has been received by Henry Cowles Whitehead, WTAR, Task Force Commander, from far off New Guinea. This particular letter was written by Capt. James V. Barker, Signal Corps, who formerly worked in the engineering department of the local electric utility, Virginia Electric & Power Co.

"Reception was perfect," wrote Capt. Barker. "Thanks to all who made the program possible. They did a swell job."

2 More Shows Completed

DISTRICT I

Boston.................Harold E. Fellows, WEEI, *TFC
(2nd of two shows)

DISTRICT III

Philadelphia..............Roger W. Clipp, WFIL, *TFC

---

* Task Force Commander.

NEW ENGINEERING HANDBOOK

Due to anticipated wartime developments, allocation changes and new standards which will affect the broadcast services, decision was made sometime ago that the new and revised NAB Engineering Handbook would not be compiled until it became possible to embody the sections on the new broadcast services in the handbook.

The NAB Executive Engineering Committee met recently in New York City for the purpose of discussing the new handbook. Those in attendance were John B. Fuqua, WGAC; Karl B. Hoffman, WGR; William B. Lodge, CBS; O. B. Hanson, NBC; and Howard S. Frazier, NAB. Chairman G. Porter Houston of WCBM, Baltimore, was unable to be present.

The committee has made the following policy recommendations for the handbook:

1. The objective and purpose of the handbook should be to provide a practical technical guide for the operating engineers of broadcast stations. Emphasis should therefore be placed on technical problems encountered in the day-to-day operation of broadcast stations (AM, FM, Television and Facsimile) of all powers. It was the opinion of the committee that no attempt should be made to cover completely those technical subjects usually handled by consulting radio engineers, although sufficient material should be included to provide a concept of the application, but not the design, of directional antennas together with some aspects of allocation engineering sufficient to provide operating engineers with general information on these subjects.

2. It was the committee's view that a recommendation should be made to broadcast engineers in the preface of the handbook as to technical books which should be part of every chief engineer's library. One of the purposes of the handbook would be to enhance the usefulness of the recommended technical books by carrying in the index of the handbook and elsewhere bibliographic references to the library books. In most instances, data contained in the recommended library will not be duplicated in the handbook. On the other hand, technical information of value to broadcast engineers which has been published in the various technical journals will be reproduced in suitable form for convenient reference in the handbook, as it was the opinion of the committee that most engineers do not have a complete file of the technical journals in their libraries.

3. It was the committee's opinion that the handbook should be prepared in the present loose leaf form.

4. It was decided that an effort should be made to gather original material from broadcast stations, radio manufacturers, consulting engineers and others for use in the handbook. Full credit will be given in the handbook to the individuals and companies contributing. It was thought that it might be possible to secure volunteers for the purpose of doing the necessary drafting work on the same basis of personal credits in the handbook. CBS offered to contribute the services of one draftsman for a total period not to exceed approximately two weeks. Similar offers from some of the larger companies should be adequate to solve this problem. It was pointed out that circuit draftsmen are not available in Washington at the present time. The use of specialists was suggested to write and edit portions of the handbook. It was not clear to the committee as to just what specialized subjects would require this treatment and therefore no decision was made.

5. It was decided that the Executive Engineering Committee will serve as a Board of Editors. All material considered for the handbook will be circulated to the committee, together with a questionnaire similar to that used by the IRE Papers Committee for the purpose of providing a convenient means of expressing opinions on the material in proper form for tabulation in order to determine the majority view of the committee.

6. The question was raised as to whether or not the handbook should contain photographs and drawings of typical studio and transmitter buildings for the purpose of aiding local architects. The committee was of the opinion that this subject, of properly treated, would require too much space and should therefore be considered later as a separate project. However, it was the committee's view that the handbook should contain some data on studio acoustics.

7. It was decided to retain in the new handbook portions of the FCC STANDARDS OF GOOD ENGINEERING PRACTICE and RULES AND REGULATIONS. However, this section of the present handbook should be reviewed for the purpose of bringing this material up to date. The committee was of the opinion that FM and television should be treated from the standpoint of high frequency propagation, antenna design, etc., and that FM and television standards should be included in the handbook when such standards are definitely determined.

8. The committee made no decision as to distribution policy in connection with the handbook.

Other Business

The committee received a report from Howard Frazier in connection with his membership on the RMA Committee on Standard Broadcasting Transmitters. The committee expressed approval of NAB participation in the work of this RMA committee and a desire to review the RMA recommendations prior to their adoption by RMA.

TYLER RE-ELECTED TO HEAD AER

In the annual election just completed for 1945-46 officers of the Association for Education by Radio Dr. I. Keith Tyler, director of radio for Ohio State University was reelected president. Dr. Tyler has been widely active in educational radio; he is director of the annual Institute for Education by Radio held at Columbus, Ohio, each May, and for five years was head of the Evaluation of School Broadcasts project carried on by Ohio State University.

Luke Roberts, educational director for station KOIN, Portland, Oregon, was elected vice-president; Robert Hudson, director of the Denver Rocky Mountain Radio Council, 2nd vice-president; Kathleen Nichols Lardie, supervisor of radio for the Detroit Public Schools, secretary; George Jennings, acting director of the Radio Council, station WBEZ of the Chicago Public Schools, treasurer.

Blanche Young, supervisor of radio for the Indianapolis Public Schools, was elected president of the Great Lakes Regional Association for Education by Radio and Mary Elizabeth Gilmore, director of radio for the Portland, Oregon, Public Schools, was named to a similar position in the Pacific Coast region.

COLUMBUS TO HAVE FM-STATION WORKSHOP

The Ohio State University, in cooperation with the U. S. Office of Education, The Ohio State Department of Education, and Cleveland Board of Education, will operate an educational FM-station workshop, at Columbus, June 18-July 27. Dr. I. Keith Tyler, director, radio education, Ohio State, will direct workshop activities.

"SALUTE TO RADIO"

Using as source the many tributes to broadcasters on their efficient leadership during the hours following death of late President Franklin D. Roosevelt (NAB REPORTS, Vol. XIII, pg. 154), station KOY, Phoenix, informs NAB that it presented a 15-minute program "Salute to Radio" to its listeners.

Letter from KOY Program Director Jack Williams follows:

> "The material contained in your bulletin of April 20th, referring to various tributes paid the radio industry for its handling of the news on President Roosevelt's death formed the basis of a one-quarter hour program over KOY in Phoenix.
>
> "We believed the public would be interested in being advised of the tremendous wave of approval from Congress, the press, etc.

"KOY took excerpts printed therein and dramatized them—presenting a one-quarter hour program titled, 'Salute to Radio.' "

AASDJ THANKS RADIO

Max R. Grossman, President of the American Association of Schools and Departments of Journalism, and Dean of the Journalism School of Boston University, has expressed his thanks to radio for what he terms "radio's magnificent obituary to Franklin D. Roosevelt." "Radio," he continued, "demonstrated that it was incomparable in reporting one of the most tragic stories of all time. I am delighted to see how the press has acknowledged radio's greatness.

"This is not a letter of congratulation: This is a letter of thanks. Nearly everyone knew that radio would reach the heights with the Roosevelt obituary. Everyone is grateful. I am sending you, in the name of the American Association of Schools and Departments of Journalism, our thanks and our gratitude. The Roosevelt story was a noble and notable achievement."

NEWSPAPER TO COAST BY WIRE FACSIMILE

Persons in attendance at the San Francisco Conference had delivered to them recently a newspaper which was sent from New York to San Francisco via wire facsimile, it has been announced.

A four-page condensation of the N. Y. *Times* with 32 columns of news was sent over the Associated Press wirephoto facilities. Upon receipt in San Francisco, etchings were made and an edition of 2,000 copies was run off on the press of a local newspaper.

Designated as a 2:00 a. m. edition of the *Times*, these copies were handed to delegates at breakfast approximately two hours after the original copy was placed in the sending machine in New York.

Marking the first time this process has been used in journalistic annals for cross-continent transmission of a newspaper, much speculation was aroused concerning the future of radio facsimile.

RADIO AVERTS FALSE ARMISTICE RECURRENCE

More on the efficiency of radio comes in an article in *PM*, Monday, April 30, under the byline of James T. Howard. Commenting on contrast between the false Armistice Day of 1918, caused by a premature news flash, and the similar occurrence of last Saturday (28), Mr. Howard recognizes radio's powerful influence as a social force with the following observations:

". . . Regardless of who was at fault, the reports spread around the world bringing joy, then disappointment. There was a difference, however, between the false Armistice Day of 1918 and the V-E Day of 1945. In 1918 newspapers rolled out their extras and the celebration was going full blast before new extras dampened the festivities. In 1945, there were radio stations to flash the news that V-E Day was here, and then to recall the tidings before the dancing in the streets really was under way. . . ."

INTER-AMERICAN RADIO CONFERENCE POSTPONED

The State Department advises that the Brazilian Government has decided to postpone to September 3, 1945, the Third Inter-American Radio Conference which was scheduled to take place in Rio de Janeiro on June 1, 1945. The Conference is being postponed in order to afford the governments participating in the Conference more time to prepare their preliminary proposals for the Conference.

PHILCO SETS UP TELE-NET DIVISION

A new division of Philco Radio and Television Corporation has been announced to handle all Philco television broadcasting, station and network operations.

This announcement follows closely recent inauguration of a television network by Philco from Washington to Philadelphia.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, May 7.

Federal Communications Commission Action

APPLICATIONS GRANTED

WIBX—Scott Howe Bowen, deceased (transferor), Estate of Scott Howe Bowen, Margaret P. Bowen, executrix (transferee), WIBX, Inc. (licensee), Utica, N. Y.—Granted consent to involuntary transfer of control of WIBX, Inc., licensee of Station WIBX from Scott Howe Bowen, deceased, to estate of Scott Howe Bowen, Margaret P. Bowen, executrix; no monetary consideration. (B1-TC-435)

KWBU—Century Broadcasting Co., Corpus Christi, Texas—Granted extension of special service authorization for a period of six months from May 9, 1945, to operate on **1030 kc.**, with 50 KW power, directional antenna, local sunrise to local sunset; Commissioner Durr dissenting. (B3-SSA-118)

Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—Granted construction permit for new experimental television relay broadcast station to be used in connection with applicant's commercial television broadcast station WPTZ, Philadelphia. (B1-PVB-143)

Philco Radio & Television Corp., area of Philadelphia, Pa. (W3XPA, W3XPC, W3XP).—Granted construction permit to increase power to 40 watts, add A3 emission, change antenna and transmitter, and change area to area of Washington, Philadelphia and New York. (B1-PVB-144 through 146)

Philco Radio & Television Corp., Portable-Mobile, (W3XPD, W3XPE, W3XPF, W3XPG, W3XPH, W3XPI, W3XPK).—Granted modification of construction permits for seven experimental relay stations to change power to 40 watts (peak) visual, 40 watts aural, change type of transmitter and antenna, extend commencement and completion dates to 60 days from date of grant and 180 days thereafter, respectively, and change areas to Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia. (B1-MPVB-119 through 125)

Philco Radio & Television Corp., Portable—area of New York, N. Y. (W2XPR).—Granted modification of construction permit (which authorized a new experimental television broadcast station) to increase power to 40 watts and A3 emission, change area to Washington, Philadelphia and New York, change transmitter, and extend commencement and completion dates to 60 days from date of grant and 180 days thereafter, respectively. (B1-MPVB-126)

KINY—Edwin A. Kraft, Juneau, Alaska.—Granted license to cover construction permit, as modified, which authorized increase in power, installation of new transmitter, and changes in antenna (B-L-1790); granted conditionally. Granted authority to determine operating power by direct measurement of antenna power. (B-Z-1571)

The Ohio State University, Columbus, Ohio.—Granted construction permit for new relay broadcast station to be used with standard Station WOSU. (B2-PRY-299)

W7XTE—Temple V. Ehmsen, Portland, Oreg.—Granted modification of construction permit which authorized new developmental broadcast station, for extension of completion date only, from June 30 to December 30, 1945. (B5-MPEX-14)

Cowles Broadcasting Co., Des Moines, Iowa.—Granted petition to intervene in the hearing now scheduled for May 16 on application of KFNF, Inc., Shenandoah, Iowa, for renewal of license, and application of Henry Field and Midwest Broadcasting Co., Shenandoah, for transfer of control of licensee corporation.

LICENSE RENEWALS

Granted renewal of following station licenses for the period ending August 1, 1946:

KWIL, Central Willamette Broadcasting Co., Albany, Oreg.; WGAC, The Twin States Broadcasting Co., Augusta, Ga.; WIBU, William C. Forrest, Poynette, Wisc.; WCRW, Clinton R. White, Chicago, Ill.

Granted renewal of following station licenses for the period ending February 1, 1846:

KWNO, M. H. White and H. R. Wiecking, d/b as Winona Radio Service, Winona, Minn.; WDSM, WDSM, Inc., Superior, Wisc.; KGDE, Charles L. Jaren, Fergus Falls, Minn.

Granted renewal of following station licenses for the period ending May 1, 1948:

WGGA, Blue Ridge Broadcasting Co., Gainesville, Ga.; WHN, Marcus Loew Booking Agency, New York, N. Y.; WTAM, National Broadcasting Co., Cleveland, Ohio; KLRA, Arkansas Broadcasting Co., Little Rock, Ark.

DESIGNATED FOR HEARING

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah—Designated for hearing under policy of January 16, 1945, application for construction permit to change frequency from **1340** to **590 kc.**, increase power from 250 watts unlimited to 250 watts night, 1 KW day, and install new transmitter. (B5-P-3854)

KXL—KXL Broadcasters, Portland, Oreg.—Designated for hearing application for modification of license to change hours of operation from limited time—WSB to unlimited time. (B5-ML-1212)

MISCELLANEOUS

WALV—Thomas Garland Tinsley, Jr., Richmond, Va.; and WBBL, Grace Covenant Presbyterian Church, M. A. Sitton, agent, Richmond, Va.—Adopted memorandum opinion granting application of Thomas Garland Tinsley, Jr., for modification of construction permit to make changes in antenna, change transmitter and studio location of Station WALV (B2-MP-1798), and granting application of Grace Covenant Presbyterian Church for modification of construction permit (which authorized change in frequency, hours of operation, move of transmitter, changes in equipment and antenna) for approval of transmitting equipment and authority to use presently licensed antenna and transmitter site of Station WBBL (B2-MP-1799). The Commission further ordered that construction permits as above modified should be issued subject to the condition that permittees shall, when materials and personnel become available, file appropriate applications to complete construction in accordance with Commission's Rules and Regulations and Standards of Good Engineereing Practice.

WKVM—American Colonial Broadcasting Corp., Arecibo, P. R.—Adopted memorandum opinion granting modification of construction permit for approval of antenna and approval of transmitter and studio location, and ordered that a construction permit as thus modified should issue. (B-MP-1784)

WBHD—Southside Virginia Broadcasting Corp., Petersburg, Va.—Adopted memorandum opinion granting application for modification of construction permit for change in equipment and approval of transmitter site and antenna system, and ordered that a construction permit as thus modified should issue. (B2-MP-1791)

WOKO—WOKO, Inc., Albany, N. Y.—Adopted order issuing special temporary authorization for the continued operation of Station WOKO until further order of the Commission (petition for rehearing having been filed). (Docket 6486; B-203)

WTAW—Agricultural and Mechanical College of Texas, College Station, Texas.—Adopted order denying application for construction permit.

WOKO—WOKO, Inc., Albany, N. Y.—Adopted order denying petition for rehearing directed against the Commission's action denying application for renewal of license of Station WOKO; and further ordered that the special temporary authorization for the continued operation of Station WOKO be extended until 3 a. m., Thursday, May 31, 1945. (Commissioner Denny not participating.)

The following applications for construction permits for new high frequency FM broadcast stations were placed in pending file in accordance with Commission policy adopted February 23, 1943:

Jack M. Draughon and Louis R. Draughon, d/b as WSIX Broadcasting Station, Nashville, Tenn. (B3-PH-474); Review Publishing Co., Alliance, Ohio (B2-PH-475); Lynchburg Broadcasting Corp., Lynchburg, Va. (B2-PH-476); Roanoke Broadcasting Corp., Roanoke, Va. (B2-PH-477)

WTAW—Agricultural and Mechanical College of Texas, College Station, Texas.—Adopted order denying petition for a grant without hearing of application for construction permit to change frequency from **1150** to **1470 kc.** and hours of operation from daytime to unlimited time, and designated said application for hearing, to be consolidated with hearing on applications of H. C. Cockburn, tr/as San Jacinto Broadcasting Co. for a new station at Houston, Texas (Docket 6725), Reporter Broadcasting Co. for construction permit to change frequency of Station KRBC, Abilene, Texas, to **1470 kc.** (Docket 5968), and Calcasieu Broadcasting Co. for construction permit to change frequency of KPLC, Lake Charles, La., to **1470 kc.** (Docket 6664)

APPLICATIONS FILED AT FCC

1050 Kilocycles

WPAG—Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—License to cover construction permit (B2-P-3595 as modified) which authorized construction of a new standard broadcast station.

WPAG—Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

NEW—George E. Miller, J. Myron Honigman and Lou Poller, d/b as Baron Broadcasting Co., Wilkes-Barre, Pa.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation. AMENDED: to substitute P. J. McCall for J. Myron Honigman as a member of the partnership.

1340 Kilocycles

NEW—Richard Field Lewis, Jr., and Grant Pollock, a partnership, d/b as Berkeley Broadcasting Co., Martinsburg, W. Va.—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

1400 Kilocycles

WNEX—Macon Broadcasting Co., Macon, Ga.—License to cover construction permit (B3-P-3688 as modified) which authorized a new standard broadcast station.

WNEX—Macon Broadcasting Co., Macon, Ga.—Authority to determine operating power by direct measurement of antenna power.

WCNC—Albemarle Broadcasting Co., Elizabeth City, N. C.—Construction permit to move transmitter and studio to Norfolk, Va.

WKWK—Community Broadcasting, Inc., Wheeling, W. Va.—Authority to determine operating power by direct measurement of antenna power.

1450 Kilocycles

NEW—Indiana Broadcast, Inc., Indiana, Pa.—Construction permit for a new standard broadcast station to be operated on **1450 kc.,** power of 250 watts and unlimited hours of operation.

FM APPLICATIONS

NEW—George A. Mayoral, William Cortada and Ramon Cortada, New Orleans, La.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47100 kc.,** with coverage of 13,300 square miles. AMENDED: to change coverage to 8,000 square miles, specify site, equipment.

NEW—New Jersey Broadcasting Co., Inc., Newark, N. J.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49100 kc.,** with coverage of 6,200 square miles. AMENDED: to change name of applicant to Atlantic Broadcasting Co., Inc.

NEW—Hudson Broadcasting System, Inc., Mt. Vernon, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47900 kc.,** with coverage of 2,500 square miles (formerly submitted in name of United Broadcasting System, Inc.).

NEW—Robert F. Wolfe & Margaret Wolfe, a partnership, d/b as Robert F. Wolfe Company, Fremont, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **49700 kc.**

NEW—Myles H. Johns, Milwaukee, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46500 kc.,** with coverage of 6,950 square miles.

TELEVISION APPLICATIONS

NEW—The Connecticut Television Co., Greenfield Hill, Conn.—Construction permit for a new commercial television broadcast station to be operated on Channel #8 **(162000-168000 kc.),** ESR 1810. AMENDED: to change requested frequency to Channel #8 **186000-192000 kc.)** as proposed in the reallocation and change transmitter site to Booth Hill, Conn., and antenna changes.

W2XCS—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of construction permit (B1-PVB-110 which authorized new experimental television station) for extension of completion date from 5-12-45 to 11-12-45.

MISCELLANEOUS APPLICATIONS

W4XAP—Voice of Alabama, Inc., Birmingham, Ala.—License to cover construction permit (B3-PEX-48) for a new developmental broadcast station.

NEW—Everette C. Atkerson, Birmingham, Ala.—Construction permit for a new developmental broadcast station to be operated on **43700** and **87,400 kc.,** 250 watts power, and special emission for FM.

WENH—WJR, The Goodwill Station, area of Detroit, Mich.—Construction permit to change frequencies from **1646, 2090, 2190, 2830 kc.** to **30820, 33740, 35820, 37980 kc.,** change power from 150 watts to 100 watts and make changes in equipment.

NEW—The Journal Company (The Milwaukee Journal), Richfield, Wis.—Construction permit for a new developmental broadcast station to be operated on **91000 kc.,** power of 500 watts and special emission for FM.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Food Display Machine Corp.—A complaint alleging misrepresentation in connection with the sale of a safety razor blade sharpener designated Razoroll has been issued against Food Display Machine Corporation, 620 North Michigan Avenue, Chicago, and its president, Adam H. Kulikowski. The corporate respondent trades as Razoroll Company. (5308)

Rachel Johnson, 1118 Freeman Ave., Kansas City, Kansas, is charged in a complaint with misrepresentation in connection with the sale of preparations designated "Mme. Rachel Johnson's Pomade Hair Grower" and "Mme. Rachel Johnson's Hair Grower." (5310)

Northwest Dried Fruit Association, Portland, Oreg., and its members and officers are charged in a complaint with engaging in a conspiracy to restrain trade and create a monopoly in the sale of dried prunes.

The Association is composed of trade associations and their members and other parties variously engaged in growing, packing and selling fruit, including prunes, and comprises practically the whole of the industry which is located in Washington, Oregon, Idaho and California.

The complaint names the following association members as respondents: Oregon Prune Exchange, Portland, selling agent for a number of fruit growers associations; Washington Growers Packing Corporation, Vancouver, Washington, packing and sales agent for prune producers in the State of Washington; and Rosenberg Bros. & Co., San Francisco and Portland, engaged in buying, packing and selling dried prunes. (5311)

Sprague Military Institute—A complaint alleging misrepresentation of a correspondence course in military procedure, advertised as enabling students to enter the service "as veterans instead of as raw recruits," has been issued against Harold R. Lister and Margaret Lister, trading as Sprague Military Institute, 307 North Michigan Avenue, Chicago. The so-called "Military Institute" is an affiliate of Blackstone College of Law, another correspondence school operated by Lister at the same address. (5304)

Steri-Seal, 329 East Long Street, Columbus, Ohio, is charged in a complaint with misrepresentation in connection with the sale of devices designated Steri-Seal for use as caps on nursing bottle nipples. (5309)

Stone Manufacturing Company is charged in a complaint with disseminating advertisements which misrepresent the therapeutic properties of the ozone-generating devices he sells and which fail to reveal their possible harmful effects. The devices are sold under the names Stone's Ozone Producer and Stone's Ozone-Ray Producer. (5307)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

American Flag Co., 73 Mercer St., New York, manufacturer of flags, pennants and banners, has been ordered to cease and desist from failing to disclose, and misrepresenting, the fiber content of certain of its products, in violation of the Federal Trade Commission Act, and from misbranding others in violation of the Wool Products Labeling Act. (5261)

Cramp Shipbuilding Co.—An order to cease and desist has been entered against a group of respondents found to have conspired in the submission of fictitious and collusive bids for supplying material for rehabilitating the shipyards of the Cramp Shipbuilding Company, Philadelphia, when it was under contract to construct naval vessels for the Government. (4802)

E. Griffiths Hughes, Inc.—An order to cease and desist from disseminating false advertisements concerning a medicinal preparation designated "Kruschen Salts" has been entered against E. Griffiths Hughes, Inc., 26 Forbes St., Rochester, N. Y. (4711)

Humania Hair Goods and Specialty Co., 303 Fourth Ave., New York, has been ordered to discontinue the dissemination of false advertisements concerning cosmetics and hair preparations which he sells in interstate commerce. (5249)

Samuel R. Israel and Al Goldstein, trading as House of Royalsun, 5 West 36th St., New York, engaged in the sale of knitting yarn, has been ordered to discontinue representing, through use of the words "Shetland," "Saxony," "Scotch" or any other terms indicating foreign origin, or otherwise, that yarns manufactured from domestic products are imported or made from imported products. (5078)

Al Rosenfeld, Inc., 9 East 38th St., New York, and its officers, Al Rosenfeld and S. Theodore Lande, engaged in the sale of perfumes and toilet preparations, have been ordered to discontinue using trade and brand names of French origin to designate or refer to products of domestic make. (5051)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

American Trading Co., 505 Elm St., Cincinnati, manufacturing and distributing fur garments, have stipulated in connection with the advertising or invoicing of their products to cease and desist from the use of the terms "Hud-Seal," "Sealine," "Beaverette" or any other fictitious animal designation or coined fur-connoting term as descriptive of their products; or using any animal or purported animal name for fur which is not the true name of the animal producing the fur; provided that if the fur is so dyed as to simulate another fur . . . that fact shall be set forth as an integral part of the designation, and if the name of the animal whose fur is so simulated be given, such name shall be immediately followed by and compounded with the word "dyed," together with the true name of the animal producing the fur as the last word of the description—all words or designations to be in like type and equally conspicuous. (4021)

Bastian Bros. Co., 1600 Clinton Ave., North, Rochester, N. Y., manufacturer of fraternity and school jewelry, entered into a stipulation to discontinue misrepresenting the gold content of rings and other jewelry. (4042)

Bibles For Victory, Inc.—A stipulation to discontinue representing that metal-covered Bibles and Catholic prayer books will afford physical protection to members of the armed forces who carry them, has been entered into by Bibles For Victory, Inc., 1141 Broadway, New York, and Isaac Steinbrook, general manager of the corporation. (4025)

Camille, Inc., Bernardsville, N. J., entered into a stipulation to discontinue certain misrepresentations in connection with the sale of Camille Cake Mascara and Camille Cream Mascara. (4017)

Colorcrete Industries, Inc., Holland, Mich., manufacturing a product designated "Colorcrete" for application to concrete and masonry, and engaged in its sale and distribution, together with machines to mix and spray the product, has stipulated to cease and desist from certain misrepresentations of the product. (4047)

Eagle Druggists Supply Co., Inc.—A stipulation has been approved in which Eagle Druggists Supply Co., Inc., 43 West 23rd St., New York, jobber of druggists' supplies, agrees to cease and desist from certain misrepresentations in connection with the sale of rayon Protex-U Dental Floss, which was advertised as being made of synthetic silk and having "extra strength." (4043)

Kol-Saver Sales Co.—Under a stipulation entered into a copartnership trading as Kol-Saver Sales Co., Albert Lea, Minn., has agreed to cease misrepresenting the effectiveness of a coal saving device designated Kol-Saver, which consists of a supplemental grate for use in coal burning furnaces. Members of the copartnership who signed the stipulation are Richard A. Trow, Ingwald G. Olson, E. H. Mickelson, Edwin Johnson, William O. Lindahl and Robert C. Trow. (4034)

Mammoth Mail Order House—A stipulation to discontinue certain misrepresentations in connection with the sale by mail order of wearing apparel has been entered into by Samuel Schweiger and Harry Arkin, trading as Mammoth Mail Order House and as Southerners' Bargain House, 412 Grand St., New York. (4015)

National Drug Co., 4663 Stenton Ave., Philadelphia, manufacturer and distributor of pharmaceuticals, stipulated that it will stop representing it has the exclusive patent right to make, use and sell a sulfanilamide allantoin ointment it sells under the name of Allantomide. The preparation is recommended as a treatment for wounds, scalds, burns, abscesses and ulcers. (4026)

Nim-Pah Products Co., Las Vegas, Nevada, stipulated that they will cease and desist from misrepresenting the therapeutic property of a medicinal preparation designated Nim-Pah and from disseminating advertisements which fail to reveal the potential danger in its use. (4019)

Franklin Simon & Co., operating a department store at Fifth Ave. and 38th St., New York, stipulated that in connection with the sale of women's coats it will discontinue using the words "Camel Hair" or "Camel" as descriptive of a fabric not composed of camel hair. (4016)

S-K Research Laboratories, Inc., Phoenix, Ariz., engaged in the sale and distribution of a medicinal preparation designated "Adreno-Mist," represented as being a remedy for asthma, has stipulated to cease representing that Adreno-Mist, or any similar product, is a competent treatment or adequate remedy for the relief of asthma, or that it could afford more than a temporary relief from the paroxysms of asthma. (4045)

Twin City Shellac Co., Inc., 338 Flushing Ave., Brooklyn, engaged in the sale and distribution of Dan-Dee No Rubbing Floor Wax, entered into a stipulation to cease and desist from representing that the product lasts twice as long as ordinary wax or has enduring properties in excess of competitive products of standard quality; or that it is a heavy duty wax so constituted as to withstand strain, exposure or wear of an unusual nature, or that its luster improves with wear. (4020)

FTC EXPORT INVESTIGATION

The Federal Trade Commission has ordered an investigation under the Export Trade Act (Webb-Pomerene Law) to determine whether General Milk Company, Inc., an export trade association, 19 Rector Street, New York, and its stockholder-members, officers and directors have entered into agreements and engaged in restraint-of-trade practices in violation of law. The corporation is registered with the Commission as an association which engages solely in the export of milk products.

Stockholder-members of the association are Carnation Company, Milwaukee, and Pet Milk Company, St. Louis. Officers are E. H. Stuart, Seattle, president; W. T. Nardin, St. Louis, and H. J. Mountrey and L. H. Wilson, both of New York, vice presidents; L. C. Gunther, New York, vice president and treasurer; L. A. DeBow, New York, secretary; and P. G. Kinzer, Milwaukee, and J. A. Latzer, St. Louis, directors.

The Export Trade Act authorizes the organization of cooperative associations in export trade and requires that they file with the Commission copies of their organization papers and current reports as to their operations. Under the terms of the Act, such an association shall be engaged solely in export trade and shall not restrain the trade of a domestic competitor, artificially or intentionally enhance or depress prices in this country, or substantially lessen competition or otherwise restrain trade in the United States.

The notice of investigation states that if the Commission, upon investigation, shall conclude that the Export Trade Act has been violated, it will make recommendations to General Milk Company, Inc., for the readjustment of its business in order that the association may thereafter maintain its organization and management and conduct its business in accordance with law.

The date of the opening of the investigation will be announced later.

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 19, May 11, 1945

Radio On V-E Day

Long awaited V-E Day came to the Nation on May 8, and broadcasters throughout the land went into action to keep the people abreast of events, with appropriate entertainment dovetailed into the news programs.

Although it is too early to collect and digest a wide and comprehensive resume of public reaction to radio's handling of the situation, indications are that approval was general; instinctively the people again turned to radio for leadership in keying V-E observance to proper pitch in a situation that called for jubilation tempered with sober realization that war still lies ahead in another part of the world.

Especially notable was the part played by broadcasters in dampening premature public demonstrations. Information enough to confirm peace as an accomplished fact came over the millions of the Nation's receivers, but in general there were few spots where listeners ignored reiterated cautioning that only formal proclamation from the President would make things official.

By the time President Truman came on the air at 9:00 a. m. on the now memorable morning of Tuesday, May 8, with formal confirmation, emotion had been so tempered and conditioned that no spontaneous outbursts were apparent. The feared "celebration" became an orderly observance by a thankful people who now turn their eyes toward the troubled waters of the Pacific and its erupting islands.

President Truman's announcement came in simple unadorned wording, designating the then current day, May 8, as V-E Day, and setting aside the ensuing Sunday, May 13, as a day of thanksgiving. Other world-leaders were on the air with brief talks.

Later announcements by Government departments cancelled out the brownout and curfew, indications were that other bans would be lifted, rationing would be less stringent in its general pattern, good news came fast. A feeling of relieved tension was observable everywhere, but the public took things in stride. For this radio is credited with its proper share of appreciation for performing with distinction in its major role as a great social force.

Ryan's V-E Day Statement

(As released by NAB News Bureau, May 8)

Announcement of V-E Day brought the following statement from J. Harold Ryan, President of the National Association of Broadcasters:

"The announcement that the United Nations in a combination of free peoples have brought about official cessation of hostilities in Europe and that V-E Day is here is a source of deep satisfaction to the people of America. Under different circumstances there would be widespread rejoicing. However, our inclination to rejoice is tempered by a sobering realization of the cost of the victory and of the responsibilities which lie ahead. The road to Tokyo is, according to our military leaders, a long and a hard one, certain to involve the loss of many more brave men. There is much yet ahead of us in dealing with the remnants of our European enemy.

"This is a time for solemn contemplation and a renewed determination to rid the world of the forces of aggression and to bring about a basis for a lasting peace among all nations.

"The broadcasters of America take just pride in the role which they have played in keeping our people informed, in relieving, through entertaining and instructive programs, the tension incident to war, in carrying to our military forces throughout the world specially prepared inspirational programs in the interest of morale, and in assisting the Government in its monumental task of maintaining civilian production and morale. We pledge a continuation of Radio's all-out effort."

Porter Comments

"V-E DAY EMPHASIZES THE TASKS AHEAD

FCC Chairman Paul A. Porter, commenting upon V-E Day, issued the following statement:

"I do not anticipate any substantial changes in the policies of the Federal Communications Commission until the Stars and Stripes are firmly planted in Tokyo.

"We are in constant touch with the War Production Board and are aware of their plans for the gradual reconversion of plant and facilities for the production of communications equipment. It does not appear that there is any immediate prospect for relaxation of the Commission's existing freeze policies.

"Demands upon the communications industry for the Pacific War will apparently continue to be heavy for some time to come. The Commission will coordinate its licensing functions closely with the realities of production and when it becomes possible to make available manpower and materials for new construction or the improvement of existing facilities, all interested parties will have a full and equal opportunity to have their matters considered by the Commission. Ample notice will be given concerning any change of existing policies or procedures.

"Broadcasting has distinguished itself during the first phase of this war. Other communication services have performed miracles in the face of great obstacles. All are agreed that there is no occasion for relaxation until final victory is achieved."

OWI Outlines Home Front Job

Continued determination in carrying the war right into the Japs' front yard is urged by Office of War Information in a special release to broadcasters.

Stating that our fighting forces will need the complete support of every American on the home front to hasten

(Continued on next page)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

the end of the war in the Pacific, OWI suggests the following:

"1. Urge your listeners to give thanks for Victory in Europe by re-dedicating themselves to the job that lies ahead in the Pacific—the complete defeat and unconditional surrender of Japan.

"2. Remind them that in the opinion of top authorities in the Navy, War and State Departments, the Battle for Japan will be one of the most bitter and most difficult in history. Give them some of the reasons on which this opinion is based.

"3. Tell your listeners that until this war is completely and finally won, our fighting forces will need the all-out support of every American at home. Urge them to give this support by doing the following things:

"a. Stay on that war job—

"b. Keep buying more and more war bonds—and hold on to them—

"c. Keep supporting all home front activities and observing all wartime regulations—price controls, rationing, volunteer service, salvage drives—until our enemy Japan is completely and finally defeated."

Censorship Relaxed

News censorship is to continue, according to an announcement issued by Byron Price, Director of Censorship on Tuesday (8). "The end of German resistance alters security requirements materially," said Mr. Price, "although it by no means erases the need for, or importance of, voluntary censorship."

According to the release a new, shorter Code will soon be issued. Meantime, the present Code which is the edition of December 1, 1943, is amended, effective at once, in the following respects:

1 (a)—WEATHER—Eliminate.

1 (d)—DAMAGE BY ENEMY LAND OR SEA ATTACKS—Eliminate but note reference immediately following.

1 (e)—ACTION AT SEA—Eliminate and substitute following:

"Information about the sinking or damaging from war, causes of war or merchant vessels in any waters; information about actual or impending enemy attacks on the continental United States."

1 (f)—ENEMY AIR ATTACK—Eliminate.

1 (j)—SABOTAGE—Eliminate.

1 (k)—PRODUCTION—Eliminate and substitute following:

"New or secret weapons, identity and location of plants making them; secret designs, formulas, processes or experiments connected with the war.
"Rate of production of materiel used in or for specialized military operations.
"Movement or transportation of war materiel."

1 (m)—WAR PRISONERS, INTERNEES, CIVILIAN PRISONERS—Eliminate and substitute the following:

"Information as to arrival, movements, confinement or identity of military prisoners from war zones."

SECTION II, PROGRAMS—Eliminate in entirety.

SECTION III, FOREIGN LANGUAGE BROADCASTS—Eliminate in entirety.

With regard to foreign language programs, however, broadcasters should remember that all provisions of the Code still in effect apply equally to all broadcasts including those in languages other than English. A vigilant check should be maintained over foreign language broadcasts at all times.

The identification and location of all American military units in Europe may be broadcast up to and including May 8, 1945, but their subsequent movements require appropriate authority under the Armed Forces section of the Code.

A continuance of the excellent cooperation received from the American broadcasters since the war began is earnestly requested.

Newspapers Comment

Newspapers have quite generally been most complimentary in their comments upon radio's V-E Day coverage. A few of those already noted follows:

(From New York *Times*, May 8, 1945)

"This morning at 9 o'clock, President Truman's official V-E Day proclamation will be carried by a huge network in this country and Canada, augmented by high-power international short-wave transmitters capable of reaching every country on earth.

"If President Truman's address ends while Prime Minister Churchill is still speaking, the latter will be picked up from London. Otherwise Mr. Churchill's address will be recorded and broadcast after President Truman finishes.

"Marshal Stalin's proclamation in Moscow also may be on the air.

"The network set-up to carry the V-E Day ceremonies, radio men said, may surpass in size any other system ever assembled to carry a single program. It will be headed in this city by WEAF, WOR, WJZ, WABC, WMCA, WNYC, WHN, WNEW, WEVD, WQXR, WLIB, WINS and WPAT.

"A similar system will be set up this afternoon at 3 o'clock to carry an address by King George VI from London, who will also be heard over the international shortwave system of the British Broadcasting Corporation.

"Radio men called it 'next to impossible' to estimate the full scope of the radio facilities that will carry the two programs, but were of the opinion that at least 75 per cent of the broadcacters in the United States would be included."

(From Washington *Post*, May 9, 1945)
(Column by Mark Sullivan)

". . . The public, now forming its impression of a new President, got opportunity from his radio address. The newsmen, in his direct presence at the press conference, got more. It was what would have been to many men an occasion for strain. Within a few minutes, just as soon as the press conference should be over, he was to go on the radio with an address of world-wide importance. But neither the shortness of the time for what he had to say to the newsmen, nor the imminence of his radio address, led to any tension on Mr. Truman's part.

"To most persons, the mere imminence of going before the microphone, even for an ordinary address, might have been an occasion for jittery anxiety. In Mr. Truman's case, not at all. In compressing what he felt he should say to newsmen into a strictly limited 20 minutes or so, he was brisk, but not hurried. In his conduct of the press conference, he made an impression of business-like command of the situation and of its details. When, a few

(Continued on next page)

minutes before 9, one of his aides spoke up to remind him that the time was getting close, he took the reminder in with his brain, rather than with his nerves. Quickly, yet carefully, and preserving complete clarity, he epitomized what he had to say to the newsmen into the necessary time. Then, again with briskness but without hurry, he, with his aides, left the office to go to the White House room in which the radio apparatus had been set up."

(From N. Y. *Times*, May 9, 1945)

"Radio staged its greatest show yesterday—a round-the-world V-E Day celebration that must have reached vast numbers of listeners in every country on earth. On no other occasion in the quarter-century history of broadcasting have so many watts of radio power been shot into space within a few hours to carry so many words on a single theme—victory.

"President Truman's proclamation of the German surrender at 9 o'clock yesterday morning got a record high of 64.1 in audience ratings. This was announced later in the day by C. E. Hooper, Inc., of New York, the radio 'poll' concern. Based on normal radio-program measurement methods, such a rating would mean that at least '36,500,000 adults' in the United States heard the President.

"The previous radio highspot, measured also by Hooper, was the 59.6 rating given to President Roosevelt's speech on Dec. 8, 1941, the day after Pearl Harbor, when he asked a joint session of Congress for a declaration of war against Japan.

Many Groups of Listeners

"The rating for President Truman yesterday, it was said, was higher because so many persons in war plants, schools and places of public assembly listened collectively over public address systems. According to the same measurement system, President Truman received a rating of only 32 on April 16, his first broadcast as Chief Executive, and 41.2 on April 25, when he addressed the delegates at the opening of the United Nations Conference in San Francisco.

"After the V-E Day proclamation, which veteran radio men estimated was carried over more broadcasting stations and carried more widely than any other single program, the national networks put on a 'show' of truly world-wide scope.

"One moment the listener might be tuned to a street pick-up from Times Square and the next be listening to the comments of a general nearly 10,000 miles away. Space and time, it seemed, meant nothing to those who had arranged the big broadcast.

"Feeding word pictures from near and far to the 'program pooling system' set up in advance by the War Department in cooperation with the National Broadcasting Company, the Columbia Broadcasting System, WOR-Mutual System and the WJZ-American Broadcasting Company, were such international short-wave station systems as Press Wireless, Radio Corporation of America, American Telephone and Telegraph, International Telephone and Telegraph, and the Government system centered in the Pentagon Building, Washington. . . ."

Liberty Bell Sounds

(As released by NAB News Bureau, May 8)

Old Liberty Bell rang out again today in prophetic fulfillment of the biblical verse encircling its crown which commands: "Proclaim Liberty throughout all the land unto all the inhabitants thereof."

On this V-E Day its ringing was not confined to those within immediate hearing as on that memorable occasion in 1776 when it first rang out Freedom's challenge. Aided by 169 years of scientific advancement, it was carried to the farthest reaches of the land by electrical transcription via several hundred radio stations.

Last August, under the auspices of the National Association of Broadcasters, the sound of the bell was recorded, and impressions made and sent to the radio stations of the nation for use on V-E Day.

Broadcastings' War Record

Broadcasting went to war on July 23, 1940. Almost 18 months before Pearl Harbor NAB, cooperating with the U. S. Civil Service Commission, started clearing announcements to locate skilled workers for civilian jobs in the Army and Navy.

On December 7, 1941, immediately upon receipt of word of the Pearl Harbor attack NAB President Miller wired President Franklin D. Roosevelt dedicating the entire broadcasting industry to all-out war service.

With NAB acting as a coordinating agency, broadcasting became the main link between government war agencies and the people.

In the first or European phase every station has faithfully and effectively fulfilled the pledge of all-out war service. The facilities of these stations have been at the instant command of every war agency to carry important messages to the people.

These facilities still are pledged to all-out war service until V-J Day is realized.

"Let's Go To Town" to Continue

The industry campaign to provide 30-minute hometown shows for broadcast to soldiers and sailors overseas is to be continued at least for an additional 5 months. This was decided this week after telephone conversations with Armed Forces Radio Service, Los Angeles.

It was pointed out that since the "Let's Go to Town" shows produced by domestic broadcasters have become outstandingly successful and popular with our fighting men, that they are all the more important today. Many soldiers serving in the European Theatre of Operations, who have been contemplating a trip home, are going to be disappointed. Moreover, these shows will be appreciated by additional fighting men in the Pacific area. "They're good for both groups."

WKY Will Produce Global Show

Gayle V. Grubb, general manager, WKY, Oklahoma City, offered to do a "Let's Go to Town" show. His offer has been gratefully accepted.

2 HURDLES FACE CIVILIAN RADIO START

With the passing of VE-Day, broadcasters, the radio manufacturing industry and the public are confronted with a variety of reports, rumors and speculations as to when civilian radio production will be resumed.

For the purpose of quick understanding, simplified facts are given herewith. WPB has come up with reconversion plans which are reportedly satisfactory to manufacturers. They call for increased civilian production as military demand recedes.

But this alone will not get radios and radio components. If the military demand were to fall to zero today manufacturing circles report there would be no set production. This is attributed to OPA's reported insistence on the maintenance of the March, 1942, ceiling. That is where matters stand as of Thursday, May 10.

Under WPB's Radio and Radar Division plan general limitation order L-265 would be retained until scheduled military orders for electronic equipment recede below 90 per cent of the average monthly delivery rate for the first quarter of 1945.

When that time occurs Radio and Radar Division has recommended to WPB's Committee for Period One—(the

(Continued on next page)

period between the end of German resistance and surrender of Japan) that L-265 be revised to permit unrestricted production of components, including tubes for replacement purposes and all electronic end equipment except broadcasting, receiving and reproducing equipment for entertainment purposes.

Under the Radio and Radar Division's plan, L-265 would be revoked when scheduled military requirements recede below 75 per cent of the delivery rate for the first quarter of 1945 and a two-band rating system would be continued to assure preference for military and highly essential civilian requirements over other civilian deliveries.

L. J. Chatten, Radio and Radar chief, said that with this plan the following purposes will be served:

1. Practically unrestricted sale of such components as are needed for repair and replacement purposes;
2. The needed protection of military production will be accomplished;
3. Production and distribution of a very limited quantity of non-military end equipment will be channeled into the most essential uses. (Communications, marine, police, railroad, etc.)
4. The above results will be accomplished with a minimum of paper work.

NAB FILES BRIEF IN FCC HEARING

John Morgan Davis, General Counsel for NAB, has filed a brief on behalf of the Association in the matter of the promulgation of rules and regulations concerning the filing of financial, ownership, and other reports of broadcast licensees. This is Docket No. 6756.

The oral arguments with respect to this proposed change in FCC rules are scheduled to be heard on Monday, May 21. At that time NAB, through its General Counsel, expects to make a further argument. Following is the brief submitted by the Association:

The National Association of Broadcasters respectfully submits this Brief on the above-entitled matter in an endeavor to assist the Commission in reaching a fair and equitable determination of the issues involved.

The National Association of Broadcasters is a non-profit corporation, the object of which is "to foster and promote the development of the art of radio broadcasting; to protect its members in every lawful and proper manner from injustices and unjust exactions; to foster, encourage and promote laws, rules, regulations, customs and practices which will be for the best interests of the public and the radio industry."

Membership is voluntary and active memberships are limited to licensees of radio stations and to national networks. As of May 1, 1945, the Association had 665 active members, composed as follows:

647—Standard Licensees
15—FM Licensees
2—Networks
1—Television Licensee

The National Association of Broadcasters desires to express its appreciation of the Commission's efforts to clarify its rules and regulations and to simplify the method of reporting to the Commission information necessary to the proper exercise of its licensing function. Specifically we endorse the bringing of Rule 43.1 of Part 43 into Part 1 of the Rules and Regulations under Special Provisions Relating To Radio. We endorse further the setting forth in the Proposed Rules of the particular forms involved. This undoubtedly will assist licensees.

We advocate strongly that the Commission will deem it appropriate to adopt the practice, heretofore followed in Application forms, of relieving licensees of filing again and again documents and information which already have been filed with and are available to the Commission.

There are certain points in these proposed Regulations upon which we believe agreement with the Commission can be reached prior to the time for oral argument. They will not be dealt with at length in this Brief other than to indicate their nature. They involve words, phrases and terms which do not clearly indicate to us or adequately define for us the information desired.

Rule 1.301 Financial Report

This appears to be merely a clarification of existing Rule No. 1.361. It works a hardship on the licensee in that it requires the preparation of a financial report prior to the filing of the licensee's Federal Income Tax Return and its State Corporation Reports.

If the reports to the Commission involved the same factual data as the Federal Income Tax Returns then it would appear to be appropriate to provide for the same date for filing of both reports. On the other hand, if the data required to be filed with the Commission is more detailed, then an additional period of time should be provided for filing the Reports with the Commission. This amendment to the Rule would be to the advantage of both the licensee and the Commission.

Rule 1.302 Filing of Contracts

This Rule appears to constitute a great improvement over Rule 43.1, however, it contains several ambiguities which are conducive to misunderstanding as to what is specifically required thereunder.

Rule 1.303 Ownership Reports

(a) Annual Ownership Reports:

Under Rule 1.303 (a) the licensee would be required to file an annual ownership report on or before March 1 of each year with the first report to be filed on or before September 1, 1945. If the rule is adopted promptly, the September 1 deadline will not prove to be a hardship to the average individual corporate licensee of simple corporate structure, however, it could be impossible of performance in the case of a corporation of widely-held ownership or of complicated corporate structure.

We are fully cognizant of the duty of the Commission to obtain full information as to the control of licensees. It must be recognized, however, that it is conceivable that a licensee may not be able to require legally all of its stockholders to furnish it with the information called for by this Rule. This problem would be corrected partially by the inclusion hereunder of the clause relative to corporations owning 25% or more of the voting stock which is contained under Rule 1.303 (b) and which begins "Provided, however, etc."

It is respectfully submitted that Rule 1.303 (b) makes it unnecessary to provide for Annual Reports each March 1, since it is incumbent on the licensee to report all changes on interim reports within 30 days of the occurrence of such change.

Rule 1.301-1.304 Publicity

It is not clear that the adoption of the proposal to open for public inspection the information contained under these Rules will serve any useful purpose. In proposing its adoption the Commission has not pointed out the public necessity which requires the opening for public inspection, or any indication of the public benefit, which will result from such public inspection. We can well appreciate why the Commission, as the government agency charged with the licensing responsibility has a bona fide purpose of its own in requiring the information to be filed by licensees and to use such information for its own guidance. Why it is necessary to go beyond this and throw all such material open to public inspection, and thus violate the usual

(Continued on next page)

rule of safeguarding business secrets of private industry, certainly is not apparent. True, if the rule related only to common carriers the purpose served by making such material public is rather obvious. That would be consistent with the accepted concept of regulation of natural monopolies where rates charged the general public are affected by the business arrangements and practices of the carrier. Under the Communications Act, however, broadcasting stations are specifically excluded from the common carrier category and it is believed that the common carrier concept of full disclosure to the public of all matters affecting the maintenance and operation of a business should not be extended into this field. So long as the Commission has full knowledge of such matters it is inconceivable to us how any useful purpose will be served by making this material available for public inspection.

Indeed the Congress has recognized the propriety of safeguarding the privacy of business information in that income tax returns are treated as confidential information available only to the Treasury Department. If the information furnished the Federal Communications Commission were to be opened for public inspection the safeguards set up by the Congress for income tax returns would be nullified insofar as the broadcasting industry is concerned and for many of the individuals engaged therein.

In addition it would enable competitors to obtain information which might be used to the great disadvantage of the licensee. It would seem highly advantageous to the Commission to have the information it needs supplied freely without fear on the part of the licensee that such information may be used against it by its competitors.

Since there is the possibility of damage to licensees by having this information disclosed, it is our view that the Commission should hesitate to adopt such a rule in the absence of a very strong showing for its need.

INDUSTRY IS READY FOR MIGHTY 7TH

The broadcast industry is all set for the 7th War Loan and is determined to bring it to a successful finish.

Many broadcasters have expressed satisfaction with the plan for "Telling the World" of radio's part in the Mighty Seventh.

All it takes is regular, "on time" reports from stations according to plan previously outlined to managers.

Several items below cover events during the "warm up" period, May 1-12, as well as events to come.

KOVC—Valley City

"The 7th Is Up Next" was title of a quarter hour station sponsored program over KOVC, Valley City, N. D., during the warmup period May 1-12. Herman Stern, state retail chairman, just returned from a state-wide tour, in the interest of the 7th War Loan, appealed for more advertising by local merchants. He also called attention to the excellence of the window display contest in the last drive, pointing out that a number of Valley City windows placed in the state competition and that three, awarded honors in the regional contest in Omaha, will be judged in the national competition. "We bought bonds to send them over, now let's buy bonds to bring them back," was the slogan used in the broadcast.

Twenty-Six Bond Days Already Scheduled

Under direction of the station's chief executive, Robert E. Ingstad, KOVC is selling local merchants complete sponsorship of war bond messages for an entire day. Over 26 merchants have already signed up to sponsor a complete day's programming of announcements and programs. In other words, on a particular day, one merchant takes over a full day's sponsorship.

KMA to Open Council Bluff Drive

Top flight talent of KMA, Shenandoah, will go to Council Bluffs on Saturday, May 12, to launch the 7th War Loan.

They will stage shows at the Masonic Temple auditorium and at the Strand Theatre. The Masonic Temple show is set for 8:30-9:45. The half-hour portion, 9:00-9:30, will be broadcast over KMA. The Strand Theatre show is set for 11:00-12:00 p.m.

Special Events at KROW

Monday through Friday a program originating at a leading Oakland bank devoted entire quarter-hour periods to the 7th War Loan.

A half-hour show, in conjunction with the Oakland Junior Chamber of Commerce, is to present an outstanding program honoring citizens participating in the 7th War Loan.

On the fire, is a baseball broadcast from the Oakland ball park, the entire proceeds from the game to be turned over to 7th War Loan Drive. Purpose of the game is advance promotion for the 7th.

WNYC—New York

WNYC's public address equipment is being loaned to all agencies holding war bond rallies in various parts of New York City.

Station broadcasts all special events and receptions at City Hall in connection with war loan. Hourly news headlines are followed with taglines such as: "The war in the Pacific is not over yet . . . buy war bonds and make the war news good news."

KTMS—Santa Barbara

KTMS broadcast Victory Bond Rally from stage of Granada Theatre 7:00-7:30 p.m., Friday, May 4; donated 45 spots and 10 quarter-hour programs to Bing Crosby-Bob Hope golf match at Montecito Country Club to launch 7th War Loan Drive. During the warmup period, scheduled 14 one-minute proclamations by leading citizens.

WBML—Macon

WBML uses Baukhage daily news shows to plug bonds.

WTTM—Trenton

On today's (11) one-hour Breakfast Club broadcast listeners were to be reminded four times to buy bonds during the 7th War Loan. Also today, station was to broadcast a 5-minute skit in advance promotion of the drive.

WIBG—Philadelphia

Prior to May 1, station broadcast four special shows featuring speakers from the Philadelphia War Bond Headquarters. Two more special interviews were broadcast between May 1-12.

WMRC—Greenville

On May 8, WMRC, Greenville, S. C., broadcast an hour program of "Thanksgiving" from the ball park, 7:00 to 8:00 p.m. Main theme was the coming 7th War Loan. Mayor, county officials and other leading citizens pointed out that the best way for the home front to show its gratitude for victories in Europe and in the Pacific was to make the 7th War Loan an outstanding success.

FULL NATIONWIDE OBSERVANCE OF KIWANIS RADIO WEEK, MAY 13-19

Special Anniversary Bulletin No. 9 with REPORTS

On the eve of Kiwanis Radio Week, Kiwanis International reported from Chicago that 100% participation in the observance was virtually assured from Kiwanis Clubs in cities of the United States and Canada where there are radio stations.

Special Twenty-fifth Anniversary Bulletin No. 9 is included with this week's NAB REPORTS, giving further details and the text of the speech which J. Harold Ryan, NAB President, will deliver before the Kiwanis Club of Omaha, Nebraska, on May 16, entitled, "Broadcasting and the Business Man." The speech is marked for release on Monday noon, May 14, and may be quoted from by other broadcasters beginning with the first meetings of the week.

A copy of the citation has been received at NAB headquarters. Each one will be inscribed with the name of a local station and signed by the president of the local Kiwanis Club. The citation bears the official Kiwanis seal and the radio industry's Twenty-fifth Anniversary symbol. The New York City Kiwanis Club will present citations to the four major networks and the New York City stations.

NEW ENGLAND STATIONS LAUNCH "SONG OF THE WEEK"

All of New England's 51 radio stations in District Number One of the NAB are prepared to launch radio's first cooperative "Song of the Week" promotion, commencing May 13 and continuing through May 26.

Executives representing five New England stations completed details of the plan last week and selected *Someday, Somewhere* as the first song to be featured in the promotion. The idea of setting up radio's "Song of the Week" campaign developed from a similar plan successfully carried out by Walter Haase, general manager of WDRC, Hartford, in his local area.

With Paul Morency, chairman of NAB District Number One, presiding, the committee drew up its plans and, after auditioning a string of current hits, selected *Someday, Somewhere* as the tune to be featured.

In addition to Mr. Haase and Mr. Morency, who is general manager of WTIC, Hartford, the committee included Ted Hill, WTAG, Worcester, Kingsley Horton, WEEI, Boston, Wayne Latham, WSPR, Springfield, and N. J. Mathers, WHDH, Boston. The committee will change each month so that all stations participating in the promotion will have the opportunity of selecting the "Song of the Week."

Plans include the selection of a song to be featured for a period of two weeks with stations agreeing to have the tune performed a minimum of twice each day or 15 times each week. A new song will be selected each month and featured in the same manner for a period of two weeks. Special emphasis will be placed by each station on introducing and identifying the selected tune as "radio's song of the week." Programming of the tune will not be limited to live performances but will include transcriptions and phonograph records.

Publishers of the songs selected are cooperating in the promotion to the fullest extent in setting up direct sales exploitation in the more than 500 retail music outlets in the New England area. Publishers will also supply orchestrations and professional copies of the selected songs to stations gratis.

Music stores and dealers will be informed of the promotion, and display material, window cards and streamers, and other sales helps will be provided by the publishers.

JUNIOR LEAGUE COMMENDED

Commenting on a series of transcribed children's storybook programs designed by the Association of the Junior Leagues of America, Jack Gould in the May 6 issue of N. Y. *Times* pays tribute to the Junior League on its sympathetic understanding of the broadcaster's viewpoint.

A reprint of Mr. Gould's remarks follows in part:

". . . The league's approach encompasses the practical side as seen from the standpoint of the broadcaster, a side which very probably is instrumental in the whole project's success. Recognizing that the broadcasting station is a business operation and that its owner must seek a maximum number of listeners at all times, the league stresses that once a chapter is granted sustaining time, it must do its utmost to attract and hold the audience. Unless the league is able to deliver, it is hardly fair to expect the broadcaster to do so.

"This involves not only the presentation of a listenable program but the concurrent task of community-wide promotion of every type. Posters, bulletins, brochures, letters, parent-teacher meetings and 'personal selling' are all part of the agenda. In some communities the policy has been singularly successful, the Junior League program enjoying better ratings than competing network fare.

"The moral for other public-spirited groups anxious to receive time on the air would seem self-evident: it is for them to learn the technique of radio if they would ask to use it. Having done just that, the Association of the Junior Leagues is reaping the well-deserved benefits and, incidentally, providing a most valuable lesson for broadcaster and listening alike."

INFORMATION REQUESTED

Several member stations have communicated with NAB with respect to an inquiry received from the Protestant War Veterans of the U. S., through Edward J. Smythe, Chairman of the National Executive Committee. The letter requests the names and addresses of Protestant religious broadcasters using the station's facilities and states that the information is needed for pending national legislation. NAB is endeavoring to gather all possible information which will be available to stations upon request. Meanwhile it is suggested that stations withhold reply.

FCC 1943 STATISTICS AVAILABLE

The annual publication of the Federal Communications Commission entitled "Statistics of the Communications Industry in the U. S." for the year ended December 31, 1943, is now on sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C. The price is 35 cents a copy.

This publication contains pertinent facts concerning wire communications companies compiled from the annual and monthly reports filed with the Commission and also considerable financial and operating data relating to standard broadcast stations and networks.

CAB NOW HAS ENGINEER

The appointment of Mr. Henry S. Dawson as Chief Engineer was announced by the Canadian Association of Broadcasters on Thursday (10).

In announcing Mr. Dawson's appointment, CAB officials stated that the membership of the Association, at their annual meeting, had expressed the view that the rapid technical development of the broadcasting industry necessitated the creation of the new post. As a result of this point of view, the Technical Committee of the Association was asked by the membership to secure a suitable person for the new post and their decision has resulted in the appointment of Mr. Dawson. Mr. Dawson has already assumed his new duties and will be responsible for studying data and research on national and international activities in the broadcasting industry. He will advise the Association on all technical matters connected with the present broadcasting structure, together with developments in frequency modulation and television.

Mr. Dawson will also be the technical member representing the Canadian Association of Broadcasters on the Canadian Radio Technical Planning Board established some months ago for the purpose of studying and recommending to the Department of Transport, Radio Control. on matters pertaining to the use of the radio frequencies.

A graduate in electrical engineering from Cornell University, Ithaca, Mr. Dawson brings to his new position experience in broadcast engineering gained with the Canadian Marconi Company, Rogers Radio Tubes Limited, and as Chief Engineer of CFRB.

Loaned by CFRB at the outbreak of war to the National Research Council, Mr. Dawson has served since November, 1940, with Research Enterprises Limited as a project engineer, and latterly as Assistant Chief Engineer. While associated with Research Enterprises Limited, Mr. Dawson gained experience and knowledge of new techniques and developments in radio frequencies and equipment which are as yet on the secret list of military security.

Mr. Dawson is a member of the Association of Professional Engineers of Ontario and the Institute of Radio Engineers. He was President of the Toronto section Institute of Radio Engineers in 1940-41.

WISCONSIN U SETS 3 SUMMER INSTITUTES

The University of Wisconsin has scheduled three separate radio "institutes" during the regular summer term.

The 8-Weeks Institute and Workshop, June 25-August 17, presents a group of radio courses designed to provide instruction and training in writing, announcing, acting and studio operations; training in the technique of classroom use of radio; and an understanding of radio as a social force.

The resident instructional staff is to be augmented by visiting specialists including:

William N. Connolly, advertising manager, S. C. Johnson & Co., sponsors of "Fibber McGee and Molly"; Albert Crews, production director, NBC, Chicago; William B. Lewis, radio director, Kenyon & Eckhardt Agency, New York City; Russ. G. Winnie, assistant manager, WTMJ, Milwaukee; Morton Wishengrad, staff writer, NBC, New York City.

The Better Listening Institute is scheduled for July 23-28. During this time there will be presented a series of short courses, lectures, discussions and demonstrations for persons interested in more effective use of radio as an instrument of public service.

The FM Radio Education Institute is a two weeks affair, July 29-August 11.

This Institute is designed to bring together persons concerned with the development of FM educational broadcasting.

Additional information may be obtained from H. B. McCarty, director, Division of Radio Education, station WHA, Madison 6, Wisconsin.

KTUC CHECKS 20,100 SETS OF AUTO BRAKES

KTUC, Tucson, set up a brake testing station in that city on April 30, to offer quick service to those having their brakes tested in compliance with the National Brake-Check program.

A letter from Manager Lee Little of KTUC states that as of May 8, 20,100 automobiles had been checked at the station.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, May 14. They are subject to change.

Wednesday, May 16

Consolidated Hearing

KFNF—KFNF, Incorporated, Shenandoah, Iowa—Renewal of license; **920 kc.**, 500 watts night, 1 KW day. Shares with KUSD ⅞ time.

KFNF—Henry Field, transferor, Midwest Broadcasting Company, transferee, Shenandoah, Iowa—Transfer of control of licensee corporation. KFNF, Inc.; **920 kc.**, 500 watts night, 1 KW day. Shares with KUSD ⅞ time.

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); **1000 kc.**, 5 KW (main), 1 KW (auxiliary), unlimited.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); **950 kc.**, 5 KW main, DA-night, 1 KW auxiliary, unlimited.

Friday, May 18

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license; **590 kc.**, 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license; **1510 kc.**, 10 KW, unlimited, DA-night.

Federal Communications Commission Action

APPLICATIONS GRANTED

WFIN—Findlay Radio Co. (Assignor), Fred R. Hover, tr/as Findlay Radio Co. (Assignee), Findlay, Ohio.—Granted consent to voluntary assignment of license of station WFIN, to Fred R. Hover, tr/as Findlay Radio Company, who owns 96.7 percent of its outstanding capital stock. (B2-AL-488).

WGBB—Harry H. Carman, Freeport, N. Y.—Granted modification of license to change hours of operation from S-WFAS to unlimited time.

WBHD—Southside Virginia Broadcasting Co., Petersburg, Va.—Granted request to change call letter assignment of station WBHD to WSSV.

WTMV—Mississippi Valley Broadcasting Co., Inc. (Assignor), Myles H. Johns, et al., d/b as Mississippi Valley Broadcasting Co. (Assignee), E. St. Louis, Ill.—Granted consent to voluntary assignment of license of station WTMV from Mississippi Valley Broadcasting Co., Inc., to Myles H. Johns,

(Continued on next page)

Penrose H. Johns, William F. Johns and William F. Johns, Jr., a partnership, d/b as Mississippi Valley Broadcasting Co., a newly formed partnership, for a consideration of $105,000. (B4-AL-482)

WHNC—Henderson Radio Corp., Henderson, N. C.—Granted modification of construction permit which authorized a new standard broadcast station, for changes in antenna and extension of commencement and completion dates to 60 days after grant and 180 days thereafter. The authority herein is granted subject to approval by the Chief Engineer of the tubes in the last radio stage.

KCRA—Ewing C. Kelly, David R. McKinley and Vernon Hansen, d/b as Central Valleys Broadcasting Co., Sacramento, Calif. —Granted license to cover construction permit, authorizing a new station to operate on **1340 kc.**, 250 watts, unlimited time. Also granted authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Sec. 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; and (b) That an approved modulation monitor will be installed as soon as such equipment becomes available.

LICENSE RENEWALS

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, Owner), Rochester, N. Y.—Granted application for extension of completion date of construction permit as modified, from May 5 to May 19, 1945.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted renewal of license for the period ending August 1, 1946.

WAYX—Jack Williams, Waycross, Ga.—Granted renewal of license for the period ending February 1, 1946.

WFIN—Findlay Radio Co., Findlay, Ohio.—Granted renewal of license for the period ending Nov. 1, 1945.

The following stations were granted renewal of licenses for the period ending May 1, 1948:

WBZ, Boston, Mass.; WGNY, Newburgh, N. Y.; WCAR, Pontiac, Mich.; WIBC & Aux., Indianapolis, Ind.; WCAU, Philadelphia; WTIC, Hartford, Conn.; WLAC, Nashville, Tenn.; WHO, Des Moines, Iowa; WAPI, Birmingham, Ala.; WBZA, Boston, Mass.; KDKA, Pittsburgh, Pa. (Commissioner Durr voted for further inquiry before final action on the following stations: WBZ, WBZA, WCAU, WTIC, WLAC, WHO, KDKA, WAPI and KYW.)

The following stations were granted renewals for the period ending August 1, 1946:

KHBG, Okmulgee, Okla.; KWAT, Watertown, So. Dak.; KIUL, Garden City, Kans. (Commissioner Durr voting for further inquiry prior to final action on KYW.)

WBLJ—Dalton Broadcasting Corp., Dalton, Ga.—Granted renewal of license for the period ending February 1, 1946.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Granted renewal of license for the period ending November 1, 1947.

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Granted renewal of license for the period ending May 1, 1948. (Commissioner Durr voting for further inquiry prior to final action.)

KABF—McClatchy Broadcasting Co., Area of Sacramento, Cal.—Granted renewal of relay broadcast station license.

WAIE—Joe L. Smith, Jr., Area of Beckley, W. Va.—Granted renewal of relay broadcast station license.

MISCELLANEOUS

Hugh G. Shurtliff, Charles A. Shurtliff, Mareby Cardella (Della) Shurtliff, and Cleo Agnes Center, Santa Maria, Calif.—Adopted memorandum opinion granting construction permit for a new station to operate on **1450 kc.**, with power of 250 watts, unlimited time, subject to the condition that a construction permit will not be issued until applicants have satisfied the Commission with respect to the following within 90 days of conditional grant, in accordance with the procedural requirements announced in the public notice issued by the Commission on January 26, 1944: (1) By evidence in writing from the WPB that any authorization of that board necessary to carry the construction to completion has been obtained or that none is required; (2) that the applicants are in a position to complete all construction necessary to the proposed operation within a reasonable period; and (3) acceptance of the grant upon these conditions has been submitted in writing within 20 days of the date of grant.

APPLICATIONS FILED AT FCC

1260 Kilocycles

WFBM—WFBM, Incorporated, Indianapolis, Ind.—License to cover construction permit (B4-P-3791) for changes in exciter unit of main transmitter.

WFBM—WFBM, Incorporated, Indianapolis, Ind.—License to cover construction permit (B4-P-3837) for a 1 KW auxiliary transmitter, using directional antenna night.

1230 Kilocycles

KVCV—Golden Empire Broadcasting Co., Redding, Calif.—Authority to determine operating power by direct measurement of antenna power.

1380 Kilocycles

KOTA—Black Hills Broadcast Co. of Rapid City, Rapid City, S. D. —Modification of construction permit (B4-P-3580, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use and move of transmitter) for extension of completion date from 6-4-45 to 9-4-45.

1340 Kilocycles

NEW—Richard W. Joy and Donald C. McBain, d/b as Palm Springs Broadcasting Co., Palm Springs, Calif.—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, with power of 250 watts, and unlimited hours of operation.

1450 Kilocycles

NEW—The Observer Radio Co., Orangeburg, S. C.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unlimited hours of operation.

FM APPLICATIONS

NEW—A. Frank Katzentine, Miami Beach, Fla.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47100 kc.**, with coverage of 1,519 square miles.

NEW—Dunkirk Printing Co., Dunkirk, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49900 kc.**, with coverage to be determined.

NEW—Recorder Publishing Corp., Greenfield, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48700 kc.**, with coverage of 3,825 square miles.

NEW—Southern California Associated Newspapers, Alhambra, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48700 kc.**, with coverage of 1,500 square miles.

NEW—Southern California Associated Newspapers, Glendale, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48300 kc.**, with coverage of 1,500 square miles.

NEW—San Pedro Printing and Publishing Co., San Pedro, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48500 kc.**, with coverage of 780 square miles.

MISCELLANEOUS APPLICATIONS

NEW—Sarkes Tarzian, Bloomington, Ind.—Construction permit for a new developmental broadcast station to be operated on **80000-100000 kc.**, with power of 500 watts, and special test emission.

(Continued on next page)

KSUI—The State University of Iowa, Iowa City, Iowa.—Modification of construction permit (B4-PED-28, as modified, which authorized a new non-commercial educational broadcast station) for extension of completion date from 7-16-45 to 1-16-46.

KAZA—WKY Radiophone Co., Oklahoma City, Okla.—Construction permit to change transmitter site from 8 miles W. on U. S. Highway 66, Oklahoma City, Okla., to Portable Area of Oklahoma City, Okla., and change antenna.

WNRE—National Broadcasting Co., Inc., Bound Brook, N. J.—License to cover construction permit (B1-PIB-45) as modified, which authorized a new international broadcast station.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Benson & Hedges, 435 Fifth Avenue, New York, is charged in a complaint with falsely representing that certain brands of cigarettes it sells are of English origin and manufacture. (5312)

Fada Radio & Electric Co., Inc., 30-20 Thomson Ave., Long Island City, N. Y., and its president, Jacob M. Marks, are charged in a complaint with misrepresentation in connection with the sale of radio sets. (5313)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Four manufacturers of fountain pens have been ordered to cease making unqualified representations that their pens are unconditionally guaranteed for the life of the user or for any other designated period, when a service charge is made for repairs or adjustments.

The respondent manufacturers named in the respective orders are W. A. Sheaffer Pen Co., Fort Madison, Iowa; The Parker Pen Co., Janesville, Wis.; Eversharp, Inc., Chicago, and L. E. Waterman Co., New York. (4337-4338-4590-4617)

Lemuel Firth, et al.—Nineteen owners and masters of fishing boats operating out of Gloucester, Mass., have been ordered to cease and desist from engaging in or continuing a restraint-of-trade agreement which the Commission found restricted the mackerel catch off Massachusetts and adjoining States and increased the price of mackerel to dealers and consumers.

The order is directed against the following respondents who operate practically all of the mackerel boats in the Atlantic fishing grounds in question and sell their catch to dealers in New Bedford, Gloucester and Boston, Massachusetts:

Lemuel Firth, Cyril Dyett, Jack Barrett, Frank Foote, Cy Tsyfer, Benedetto Randazza, Phillip Curcuru, Thomas Scola, Joseph Sinagra, Peter Scola, Joseph Parisi, Frank Mineo, Isadoro Tarantino, Peter Mercurio, Paul Scole, Gerome Frontiero, Philip Nicastro, Leo Favaloro, and Alphonse Mineo. (5065)

Freeman & Freeman—An order prohibiting misrepresentations concerning an automobile polish designated "Porcelainize" has been issued against Edwin M. Freeman, William A. Freeman, and Michael J. Freeman, trading as Freeman & Freeman, 696 South Broadway, Denver. (4735)

Illinois Herb Co., 542 South Dearborn Street, Chicago, has been ordered to cease disseminating false advertisements concerning 39 medicinal preparations and a hair tonic they sell in interstate commerce. (4460)

Jung Arch Brace Co., 312 East Court St., Cincinnati, engaged in the sale of various medicinal preparations and devices designed for the relief of foot or leg ailments, has been ordered to cease and desist from disseminating false advertisements concerning its products. (4767)

Scotch Woolen Mills, Chicago, has been ordered to discontinue misrepresenting its business status and the source of the fabrics from which it tailors garments for men and women. (940)

Sun Radio Service and Supply Corp., 938 F St., N. W., Washington, D. C., has agreed to stop representing that any radio set contains a designated number of tubes when one or more of the tubes referred to do not perform the recognized and customary functions in the detection, amplification and reception of radio signals. (03278)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

American Fluresit Co., Inc., 635 Rockdale Ave., Cincinnati, stipulated that it will discontinue misrepresenting the waterproofing properties of a cement product which it sells under the name of Fluresit Quick-Set Waterproofing. (03281)

Belle Neckwear Company, 1239 Broadway, New York, manufacturers of neckwear, stipulated that they will cease and desist from misrepresentation in connection with the sale of their "Royal Scot" brand of neckties advertised as having been "Woven in England." (4046)

Metalcrete Corporation, 2400 Mulberry Ave., Cleveland, Ohio, selling and distributing products for use as additives to or applications on concrete and masonry construction designated "Metalcrete Metallic Waterproofing," "Metalcrete Metallic Hardener," "Liquid Metalcrete" and "Integral Liquid Metalcrete," and a roofing compound designated "Graphilatum Liquid Roof Cement," has entered into a stipulation in which it agrees to desist from certain representations concerning its products. (4051)

Melville Co., Cincinnati, stipulated that in connection with the advertising and sale of wearing apparel they will discontinue the use of the word "free," or any term of similar meaning, to designate, describe or refer to wearing apparel or other items of merchandise which are not furnished gratuitously and unconditionally, or which are furnished as compensation for services rendered or for which the payment of money is required. (03280)

New York Art Service, 200 West 72nd St., New York, stipulated in connection with the sale of photographic enlargements. (03279)

Pacific Fine Arts, 1231 South Main St., Los Angeles, selling and distributing stationery designed for use by members of the military services, has stipulated that they will discontinue representing in any manner, contrary to the fact, that a correspondence pack, advertised by them as having engraved insignia and being of a good quality, with service insignia embossed in gold, contains 24 letterheads or any designated number of letterheads in excess of its actual content; using the word "engraved" or the word "embossed" as descriptive of printed lettering which is neither engraved

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nor embossed; and using the word "engraved" or any word of similar connotation as descriptive of insignia appearing on stationery which is not, in fact, engraved. (4052)

Perel & Lowenstein—A stipulation entered into by Joseph Perel and William P. Lowenstein, trading as Perel & Lowenstein, 144 South Main Street, Memphis, Tenn., has been amended with respect to the respondents' use of the word "gold" and similar terms in describing watch cases, rings or other jewelry. (3755)

Polan, Katz & Co., et al.—Stipulations to cease and desist from the use of unfair and deceptive practices in connection with the sale of umbrellas have been entered into by four firms.

Jesse N. Polan, Charles Katz and William L. Fox, trading as Polan, Katz & Company, Baltimore, manufacturers of umbrellas, stipulated that they will discontinue selling umbrellas, the coverings of which are made of or contain rayon, without disclosing such fact clearly and unequivocally in invoices, labeling and advertising matter. (4044)

The same agreement was entered into by the other firms, Louis H. Cohen and Jacob Cohen, trading as Louis H. Cohen Co., and George Umbrella Company, Inc., 35 West 35th St., New York (4048); Mortimer Altshuler, trading as Sol Altshuler, 15 West 36th St., New York (4049); and Max Dorf, Samuel Finkelstein, Nathan Biderman and Fred Bohrman, trading as Liberty Umbrella Co., 36 West 32d St., New York. (4050)

FTC CASES CLOSED

The Federal Trade Commission has closed without prejudice the case growing out of the complaint issued against Stanley Sikoparija and Sophia Strboya Sikoparija, trading as Stanley's Drug Store, Orange, Texas. The respondents had been charged with disseminating false advertisements concerning certain medicinal preparations.

The Commission has also dismissed its complaint against Logan's, Inc., which had been charged with violation of the Wool Products Labeling Act in connection with the sale of women's ready-to-wear apparel. The complaint was dismissed because the corporation has been dissolved.

After the dissolution of Logan's, Inc., which had its principal place of business in Elmira, N. Y., the Commission issued a new complaint against the former owners and officers of the corporation and subsequently ordered them to cease and desist from violation of the Wool Act.

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 20, May 18, 1945

FCC DEFERS FM ALLOCATION DECISION

Allocation for Other Services Above 25 Mc. Is Announced

The Federal Communications Commission announced on May 17th its final frequency allocations to the non-governmental radio services in the portion of the spectrum between 25 and 30,000 megacycles with the exception of the 44 to 108 megacycle region of the spectrum, which is left unassigned at this time pending the outcome of measurements and tests of FM transmission during the coming summer.

This space will ultimately be allocated as follows: 36 megacycles to television, 18 megacycles to FM, 2 megacycles to facsimile, 4 megacycles to the amateurs and 4 megacycles to non-government fixed and mobile services. The precise allocation within this region to the above services remained undecided but the Commission indicated three possible alternative allocations for this region, which turn upon the exact location of FM. The three alternatives for FM are (1) 50-68 Mc., (2) 68-86 Mc., and (3) 84-102 Mc. The Commission also announced that with the cooperation of the radio industry it is immediately planning to proceed with tests during the summer which are designed to determine the best of the three alternatives. A joint committee, under the chairmanship of the Commission's Chief Engineer, and composed of engineers from the Commission and the radio industry, will conduct these tests.

The reason for not making a final decision at this time was that the Commission felt that further measurements were desirable before making a final allocation for FM. In this connection the Commission pointed out that its decision not to make a final allocation for FM at this time would not in any way hamper the future development of that service because the Commission has received advice from the War Production Board that the radio industry will not resume production of new AM, FM and television transmitters or receivers "in 1945 or even in the first part of 1946 unless Japan capitulates. This is not to say that a small quantity of receivers and possibly a few transmitters may not be made available. However, this will have little or no effect on the future expansion of AM, FM and television services."

These allocations will probably be ordered into effect service by service, with the Commission taking into account such factors as the availability of manpower and materials, the results of the Inter-American conference at Rio, and the preparation of the Commission's rules and standards. Of course, any allocations made by the Commission are subject to being changed to conform to the provisions of international agreements.

The allocation table which was released disclosed three principal changes from the proposed report which was issued last January and which was subsequently the subject of oral argument.

(1) The band in the 27 mc. region available for scientific, industrial and medical devices, including diathermy machines, was enlarged in accordance with the recommendation of the manufacturers of diathermy machines, from the 30 kilocycle channel width assigned in the proposed report to 270 kilocycles. The other allocations for the scientific, industrial and medical devices were left unchanged.

(2) Television has been assigned a thirteenth channel at 174 to 180 mc. In the proposed report this band had originally been assigned to air navigation aids. In addition, two of the three alternative allocations suggested for the region from 44 to 108 mc. would make possible the immediate use of all television channels. In the proposed report it was noted that the television channel from 72 to 78 mc. would not be usable until the aviation markers centered on 75 mc. were moved. Under alternatives 1 and 2 the band around 75 mc. has been assigned to services other than television and television has been given assignments which will not have to wait until other services move out. This would make available 13 channels below 300 mc., all of which could be assigned to television immediately. Of course, there is also available to television a very substantial amount of space above 400 mc. which will permit the development of color television and superior black and white television through the use of wider channels.

(3) In the proposed report 6 mc. were left unassigned with the statement that they would ultimately be assigned to television, FM, facsimile or the safety services, upon a showing of need.

The allocation table released May 17 makes the unassigned space available as follows: 2 mc. are added contiguous to the FM band of 18 mc. width wherever that band is finally placed. Initially these 2 mc. will be available for stations rendering a facsimile service exclusively, but manufacturers of FM receivers should include these 2 mc. in new FM receivers as eventually it is contemplated that facsimile may move above 400 mc., thus making these 2 mc. available for FM. In the proposed report no separate assignment was made for facsimile below 400 mc., except in so far as it was stated that FM stations might be authorized to employ facsimile during hours when they were not rendering aural broadcast service—a provision which is retained in the final report.

Following the announcement of the proposed allocations on January 16, 1945, Panel 4 on Standard Broadcasting of the Radio Technical Planning Board appeared at the Oral Argument and requested further consideration of the proposed facilities for relay broadcasting.

(Continued on next page)

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

The panel, through its spokesmen, George Milne of the Blue Network and Howard S. Frazier, chairman, pointed out that 26 channels to be shared with relay press and other services were considered inadequate, especially in view of the fact that both relay press and relay broadcasting services would probably require the channels at the same time in covering events of national importance. The allocations as now released provide 36 relay broadcast channels instead of the originally proposed 26. In addition, these channels, in the lower band, are now shared only with the geophysical services. This sharing arrangement should not result in undue interference as the geophysical services in most cases do not operate in the areas where relay broadcasting would be utilized.

Twenty-four of the relay broadcast channels are provided between 25 and 30 megacycles and 12 channels are in the frequency band between 152 and 162 megacycles. However, the 12 channels in the higher frequency range will be shared with motion picture and forestry-conservation services in addition to geophysical services. Due to the propagation characteristics of the frequencies in the higher band, undue interference should not result from this sharing of channels.

The January 16 proposed allocation of the Commission provided for the experimental operation of ultra high frequency control links for AM satellite transmitters on an experimental basis on frequencies above 1900 megacycles. The Commission's allocation as announced makes no specific mention of these high frequency satellite control channels, but it is assumed the Commission will consider applications for this service on an experimental basis in order that standards may be developed for this service.

FARM BATTERY TROUBLES ARE OVER

In recent days battery manufacturers have sharply stepped up production of battery packs for battery operated farm radio sets, according to Arthur Stringer, NAB.

Increased shipments are already en route to distributors. The increase should mount quickly, he pointed out, because reconversion problems are not involved. As facilities become available, factories simply produce for the farm market instead of for the gentleman with top hat and striped pants.

SELECTIVE SERVICE PROCEDURE MODIFIED

Local draft boards have been informed by telegraph from National Selective Service Headquarters that effective May 15, 1945, it is no longer mandatory for draft boards to reopen the case of registrants upon receipt of a Form 42-A Special certified by the appropriate government agency. Draft boards are instructed to give weight to such certifications but the decision is now optional on the part of the local board as to whether or not the case shall be reopened upon receipt of certification.

The new policy will be set forth in revised local board memorandums now in preparation. NAB will publish the revised regulations as a Selective Service Supplement when available.

ABOUT MANPOWER CHANGES

Although the European phase of the war is over, general relaxations of manpower controls are not in prospect until Japan is defeated, Paul V. McNutt, Chairman of the War Manpower Commission, announced May 11. However, he added, plans for progressive relaxation of manpower controls as rapidly as circumstances permit are being put into operation by the War Manpower Commission.

The Chairman's announcement followed unanimous approval by the WMC National Management-Labor Policy Committee of a transitional post-V-E-Day program, which will take into account day-to-day labor market conditions, and which will involve a change in the WMC system of area classification beginning July 1.

During the transition period between now and July 1, the policy of WMC will be as follows:

1. Manpower controls in Group III and IV areas *may* be lifted by area directors at any time during the transition period between now and July 1, after consultation with local management-labor committees.

2. Manpower programs that include employment stabilization programs, employment ceiling programs, priority referral for males, and the 48-hour week, will be maintained in Group I and II areas. In these areas, the area directors will keep a close check on changing labor market conditions and avoid allowing anything to interfere with the prompt reemployment of individuals being laid off from war production when other jobs are available. The area directors have been instructed to transmit immediately to headquarters any marked changes in manpower requirements in an area with recommendations for area reclassification.

3. If unemployment is appearing during the transition in Group I and II areas, area directors, pending the reclassification of areas, may make use of "blanket" or open referral cards, which permit workers to accept any job, and ceilings will be promptly adjusted or temporarily lifted. At the same time the United States Employment Service will actively solicit orders for jobs from all employers in order to alleviate any unemployment.

"After July 1 there will be some relaxation of manpower checks on new and expanded civilian production," Mr. McNutt said. It is suggested that you contact your local WMC area director for developments in your area.

RADIO
1920 - 1945
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KIWANIS CITATION REPRODUCED IN SPECIAL BULLETIN

The Citation which was presented to stations and national networks by Kiwanis clubs throughout the United States and Canada this wek—"Kiwanis Radio Week"—

(Continued on next page)

has been reproduced as Special Twenty-fifth Anniversary Bulletin No. 10, accompanying this issue of NAB REPORTS.

Reports which continue to arrive at NAB Headquarters reflect the magnitude of this testimonial to broadcasting from one of the world's greatest public service organizations, Kiwanis International.

The National Broadcasting Company accepted its Citation in a thirty-minute program from New York City, Wednesday, May 16, 12:30-1:00 P. M., EWT, sharing honors with the broadcasting industry and Irving Berlin, who was selected by the New York Kiwanis Club as the outstanding citizen of the year. Berlin music was featured on the program, especially his tunes of the last war and this. Irving Berlin accepted in a network switch to Hollywood. Clarence Menser, NBC Vice-President in Charge of Programs, accepted for the network and on behalf of the radio industry as a whole, as covered in the Citation.

Kiwanis International is planning an elaborate report of the "Kiwanis Radio Week," extra copies having been promised NAB for distribution to the industry with an early issue of NAB REPORTS.

GLOBAL SHOW CHEERS FIGHTERS ON OKINAWA

A station on the Atlantic and one on the Pacific this week report appreciated reception of "Let's Go to Town" programs.

On April 30, a soldier on Okinawa reported the Charleston, S. C. program, prepared by WTMA and WCSC, John M. Rivers, licensee of the latter station, Task Force Commander.

The Pacific coast station whose voice was heard 'round the world was KFXM, San Bernardino, Calif.

So inspired was the Charleston Private over his hometown show that he wrote a two-page typewritten letter to "Mother and Dad" telling about it.

He was bedded down for the night on rock gravel when he heard a chorus of voices calling his name. There was a group around a radio silently but wildly beckoning him to hear something on the set . . . he lunged into the circle, clamped on the proffered earphones and "you could have knocked me over with one of mother's Sally Lunns.

"Gee, the thrill that ran over me when a good old Charleston accent floated out of the 'phones . . . the most beautiful part of the program came when they switched St. Michaels chimes on and I listened to them playing 'Auld Lang Syne' . . . so there I sat, shivering in a dark, windswept stream-bed, deep in the heart of these Okinawan mountains on the other side of the world, actually feeling, for a few wonderful moments that I was back in my beloved Carolina low country metropolis. It was short, only about thirty minutes, but believe me, WCSC is really on the ball. The President of the Charleston Ministerial Union spoke and said for us the Benediction. So I stumbled back to my tent and slept better than I have since we landed in the third wave on Easter."

San Bernardino Boy Hears Show in Foxhole

Howard Baichly, office manager, KFXM, who appeared on the San Bernardino program, has received a large number of letters and more telephone calls from sons, brothers and nephews of overseas soldiers and sailors who heard the program.

Cpl. A. C. Martinez heard the show "in a foxhole with my radio". He reminded Mr. Baichly that he used to be emcee for a kiddies program on Saturday night and that he was one of the kiddies.

Dick Crawford, a former employee of KFXM, wrote from England to congratulate Mr. Baichly on the bit he did for San Bernardino in the "Let's Go to Town" series.

"I thought you might be interested," he said, "to know that your voice travelled almost 'round the world. We played it on the American Forces network here in England. We then played it on BBC's Allied Expeditionary Forces program, of which we supply fifty per cent of the shows, and this went to France and to Germany. Lastly, we short-waved it to the China, Burma, India theatre."

Soldier Crawford has been three years with the Second Armored Division, a year of which was spent in Africa. He returned to radio in the Army about 15 months ago. "Little did I think when I was getting my start at KFXM I would ever end up behind a BBC mike," he concluded.

Charles C. Craig was Task Force Commander of the KFXM show.

NAB BOARD MEETS

The Board of Directors met in Omaha on Wednesday and Thursday (16-17). All members were present except William B. Ryan, Arthur Westlund, Frank M. Russell and Don Elias, who were excused on account of illness or previous engagements.

A full agenda confronted the Board. Among other topics discussed were certain By-Law amendments. The Board at its session on Wednesday adopted the recommendation of its By-Law Amendment Committee, headed by Paul W. Morency, 1st District Director (WTIC), to submit to the membership for referendum vote in connection with the final ballot for Directors-at-large, two proposed amendments. The full text of these amendments will be mailed to the membership next Thursday, along with the final ballot in the director-at-large election. They will also be published in full in next week's issue of the REPORTS.

INDUSTRY AND GOVERNMENT TO REVIEW RIO AGENDA

The telecommunications Division of the State Department has called a conference of industry and government for 9:30 a.m., Wednesday, May 23, in room 474, State Department.

At this meeting it is planned to review the specific items appearing in the agenda for the Third Inter-American Radio Conference in Rio de Janeiro, September 3.

The agenda proposes a considerable number of specific subjects besides opening up the possibility of revision of any of the parts of the Habana Convention or its accompanying Agreement or Santiago revision.

OKAY ON "MAN IN STREET"

In response to many queries from stations on the question of whether "man in street" programs are now permitted under revised censorship code, a conference with officials of the Office of Censorship has elicited information to the effect that they are no longer interested in imposing restrictions on programs. The statement *eliminate in entirety* (NAB REPORTS, Vol. 13, p. 186) is to be inter-

(Continued on next page)

preted literally in its relation to the section previously applying to programs. Simply eliminate section II from the code. "Man in Street" broadcasts are permitted.

Censorship further advises that new code will soon be distributed.

WOUNDED WANT COMMERCIALS

(From *Printers' Ink*, April 27, 1945)

"Radio commercials, newspaper and magazine advertisements and other forms of promotion are part of the familiar scene that G.I.'s miss and want. Because of that hunger for advertising, Red Cross worker Eleanor Merriman on the U. S. Army Hospital Ship *Blanche F. Sigman* worked out a 'commercially sponsored' broadcast for the ship's laundry and the usual Saturday broadcast carried the commercial of Spencer Gemski, Inc., named after two men in charge of the laundry. Wounded G.I.'s, according to reports, welcomed the commercial because it seemed a forerunner of the familiar broadcasts they would soon be enjoying."

AVERY TO ADDRESS CITY COLLEGE OF N. Y. CONFERENCE

Lewis H. Avery, NAB director of broadcast advertising, will address the Radio and Business Conference of the City College of New York School of Business and Civic Administration, May 22-23.

Title of the conference is "Advancing Business Through Radio." Avery will be joined by leading broadcasters, retailers, agency men, researchers and economists in the two-day session.

Conference attendance is limited to persons in the Metropolitan area and those who may have other business in New York on May 22 or 23.

OHIO STATE MAKES EDUCATIONAL PROGRAM AWARDS

COLUMBUS, O., MAY 15.—Awards in the ninth American Exhibition of Educational Radio Programs, sponsored by Ohio State University's Institute for Education by Radio, were announced here today by Dr. I. Keith Tyler, director of the institute.

The judges were Judith Waller, Central Division, National Broadcasting Company, Chicago; Edwin F. Helman, Station WBOE, Cleveland Board of Education; and Mark L. Haas, Station WJR, Detroit.

This trio studied 115 recordings, which had been chosen as the best of several hundred examined by an earlier screening committee.

In announcing their awards, the judges said:

"We feel that the time has come, after all these years, to judge school broadcasts by the standards of good radio production. Schools, universities, educational organizations, and local stations have less money to spend than networks or clear-channel stations; but simplicity, originality, good judgment, and discriminating standards can be as effective as a large budget."

The list of awards for entries by regional networks, regional or clear-channel stations, or national or regional organizations is as follows:

Religious Broadcasts. First Award: "Salute to Valor," planned and produced by National Council of Catholic Men; broadcast over WEAF, New York and NBC.

Honorable Mentions (two): "Pulpit in a Foxhole," planned, produced and broadcast by WNEW, New York. "Victorious Living," planned and produced by International Council of Religious Education, broadcast over local and regional stations.

Agricultural Broadcasts. No First Award.

Honorable Mentions (two): "Ohio Farm and Home Hour," planned and produced by Ohio State University Agricultural Extension Service, broadcast over WOSU, Columbus. "Farming with Kenneth Yeend," planned, produced and broadcast by KIRO, Seattle.

Women's Programs. First Awards (two): "Consumer Time," planned and produced by the War Food Administration, Washington, broadcast over WRC, Washington, and NBC. "Martha Deane Program," planned, produced and broadcast by WOR, New York.

Cultural Programs. First Awards (three): "Stage 45," broadcast over CBL, Toronto, and CBC. "Mulrooney's New Year's Party," broadcast over CBL, Toronto, and CBC. "Montreal Drama," broadcast over CBM, Montreal, and CBC.

Honorable Mention: "Words at War," planned by Council on Books in Wartime, broadcast over WEAF, New York, and NBC.

Public Discussion Programs. First Awards (two): "America's Town Meeting of the Air," planned and produced by Town Hall, Inc., broadcast over WJZ, New York, and the Blue Network. "University of Chicago Round Table," planned and produced by the University of Chicago, broadcast over WMAQ, Chicago, and NBC.

Honorable Mention: "St. Louis Speaks," planned, produced, and broadcast by KMOX, St. Louis.

Personal and Family Life Programs. First Award: "Our Children," planned and produced my WHA, University of Wisconsin; broadcast over WHA, Madison, and WLBL, Stevens Point.

Honorable Mention: "The Baxters," planned by National Congress of Parents and Teachers, broadcast over WMAQ, Chicago, and NBC.

Special Mention: "Alcoholics Anonymous," planned, produced and broadcast by WMJ, Detroit.

News Interpretation Programs. First Award: H. V. Kaltenborn, presented by Pure Oil Company over WEAF and NBC.

Programs in Furtherance of the War or the Peace. First Awards (three): "America Unlimited," planned, produced and broadcast by WGN, Chicago. "The March of Minnesota," planned and produced by Minnesota Resources Committee, broadcast over WCCO, Minneapolis, and Minnesota network. "Russian War Relief Presents," planned and produced by Russian War Relief, Inc., for broadcast over local stations.

Honorable Mention: "Voice of the Army," planned and produced by Recruiting Publicity Bureau, U. S. Army, Governor's Island, for broadcast over local stations.

Children's Programs for Listening Out of School. First Award: "Books Bring Adventure," planned and produced by Association of Junior Leagues of America for broadcast over local stations.

Honorable Mention: "Story-Book Time," planned, produced and broadcast by WLB, University of Minnesota, Minneapolis.

Programs for Use in School by Primary Children. First Award: "Your Story Parade: Texas School of the Air," planned and produced by Texas State Department of Education, broadcast over WBAP, Fort Worth, and Texas Quality Network.

Honorable Mention: "Old Tales and New," planned, produced and broadcast by WLB, University of Minnesota, Minneapolis.

Programs for Use in School by Elementary Children. First Award: "Standard School Broadcast," planned and produced by Standard Oil Company of California, broadcast over KPO, San Francisco, and NBC Pacific Coast network.

Honorable Mention (two): "Exploring the News: Wisconsin School of the Air," planned and produced by WHA, University of Wisconsin; broadcast over WHA, Madison, and WLBL, Stevens Point. "Once Upon a Time in Ohio: Ohio School of the Air," planned and produced by Ohio

(Continued on next page)

School of the Air, broadcast over WOSU, Ohio State University, Columbus.

Programs for Use in School by Junior and Senior High Pupils. First Award: "Conserving Canada," produced by Canadian Broadcasting Corporation, broadcast over CBL, Toronto, and CBC network.

Awards for entries by a LOCAL STATION OR ORGANIZATION are:

Cultural Programs. First Award: "WNYC American Music Festival—1945," planned, produced and broadcast by WNYC, New York.

Special Mention: "New World A-Coming," planned, produced and broadcast by WMAC, New York, in cooperation with City-Wide Citizens Committee on Harlem.

Public Discussion Programs. First Award: "Free Speech Forum," planned, produced and broadcast by WMCA, New York, in cooperation with the New York Newspaper Guild.

Personal and Family Life Programs. No First Award.

Honorable Mention: "Let's Talk about Children," planned, produced and broadcast by WEEI, Boston.

News Interpretation Programs. First Award: "History in the Making," planned and produced by the University of Colorado and the Rocky Mountain Radio Council, broadcast over KVOD, Denver.

Honorable Mention: "News Parade," planned, produced and broadcast by WNEW, New York.

Children's Programs for Listening Out of School. First Award: "Story Time," planned and produced by Colorado State College of Education and Rocky Mountain Radio Council, broadcast over KLZ, Denver.

Programs for Use in School by Elementary Children. No First Award.

Honorable Mention: "News Today—History Tomorrow," planned and produced by Rochester public schools, visual education department, broadcast over WHAM, Rochester.

Programs for Use in School by Junior and Senior High Pupils. First Award: "Our America," planned and produced by Radio Council of the Chicago public schools, broadcast over WBEZ, Chicago.

Honorable Mention: "Behind Today's News," planned, produced and broadcast by WIP, Philadelphia.

"MANAGEMENT IN THE PUBLIC INTEREST" MAILED THIS WEEK

The NAB Public Relations book, "Management in the Public Interest," is going in the mails this week to all NAB members.

Within a few days, approximately 5,000 of the books will be shipped out to fill station orders for extra copies which are headed for public distribution.

Of the first printing, a limited quantity remains subject to order at $1.25 per copy. Only orders from members of the National Association of Broadcasters may be accepted.

948 STANDARD BROADCAST STATIONS

During the month of April 1945, the FCC licensed one station to operate and issued three new construction permits. A comparative table of the number of standard broadcast stations by months, follows:

	1944								1945				
	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1
Operating	909	910	912	913	912	914	916	919	919	921	923	924	925
Construction	11	13	12	13	16	15	15	18	24	24	22	21	23
	920	923	924	926	928	929	931	937	943	945	945	945	948

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, May 21. They are subject to change.

Monday, May 21

Oral Argument Before the Commission En Banc

In the Matter of Promulgation of Rules and Regulations concerning the Filing of Financial, Ownership and Other Reports of Broadcast Licensees.

Monday, May 21

WMC—Memphis Publishing Company, Memphis, Tenn.—Renewal of license; **790 kc.**, 5 KW (main), 500 watts (auxiliary), unlimited (main) (DA-night), auxiliary purposes only (auxiliary).

Wednesday, May 23

Further Hearing

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Renewal of license; **1020 kc.**, 1 KW, limited.

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Renewal of license; **1110 kc.**, 10 KW, unlimited, DA-night and day.

Wednesday, May 23

Oral Argument Before the Commission

REPORT No. B-209:

WOV—Arde Bulova and Harry D. Henshel, Transferors, Murray Mester and Meyer Mester, Transferees, New York, N. Y.—Transfer of control of WOV; **1280 kc.**, 5 KW (main), 1 KW (auxiliary), shares WHBI (WHBI 1/7; WOV 6/7 D.A.)

Federal Communications Commission Action

APPLICATIONS GRANTED

WJMC—Walter C. Bridges (assignor), WJMC, Inc. (assignee), Rice Lake, Wisc.—Granted consent to voluntary assignment of license of station WJMC from Walter C. Bridges to WJMC, Inc., a newly formed corporation, for a consideration of $20,000 for 200 shares of common capital stock. (B4-AL-483)

KEUB—Eastern Utah Broadcasting Co., Price, Utah—Granted authority to change call letters of station from KEUB to KOAL.

Midwestern Broadcasting Co., Cadillac, Mich.—Granted request to assign call letters WATT to new station authorized April 17, 1945.

The Journal Company (The Milwaukee Journal), Milwaukee, Wisc.—Granted construction permit for a new developmental broadcast station to be located at the transmitter site of applicant's FM station WMFM, Richfield, Wisc. Frequencies and power to be assigned by the Chief Engineer. Emission: AO and special for FM. (P4-PES-70)

Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Granted request to change call letters of new high frequency broadcast station from WLBG to WIBG-FM.

WJXN—Ewing Broadcasting Co., Jackson, Miss.—Granted license to cover construction permit authorizing a new station

(Continued on next page)

to operate on **1490 kc.,** 250 watts, unlimited time. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's rules and regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. (B3-L-1877) Also granted authority to determine operating power by direct measurement. (B3-Z-1632)

WJAX—City of Jacksonville, Jacksonville, Fla.—Granted license to cover construction permit which authorized installation of an auxiliary transmitter. (B3-L-1878)

WPAG—Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Granted license to cover construction permit which authorized a new station to operate on **1050 kc.,** 250 watts, daytime. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's rules and regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. Also granted authority to determine operating power by direct measurement. (B2-L-1881; B2-Z-1686)

WKWK—Community Broadcasting, Inc., Wheeling, W. Va.—Granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1685)

WGBS—The Fort Industry Co., Miami, Fla.—Granted authority to determine operating power by direct measurement of antenna power. (B3-Z-1644)

KXO—Valradio, Inc., El Centro, Calif.—Granted authority to determine operating power by direct measurement of antenna power. (The license is granted subject to the condition that, at the expiration of the present national emergency, the licensee shall file an application for construction permit for authority to install a new antenna and ground system which will meet the minimum requirements of the Commission's Rules and Standards. (B5-Z-1681)

W4XAP—Voice of Alabama, Inc., Birmingham, Ala.—Granted license to cover construction permit for new developmental broadcast station; frequencies that may be assigned by the Commission's Chief Engineer; 250 watts power. The license is granted upon an experimental basis only and upon the express condition that it is subject to change or cancellation by the Commission at any time without advance notice or hearing if in its discretion the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of this station on the frequency authorized is or will be in the public interest beyond the express terms hereof. (B3-LEX-20)

DOCKET CASE

The Commission announces adoption of a Decision and Order (Docket No. 6746), granting the application of The Brockway Company for a construction permit for a new station at Massena, New York, to operate on frequency 1340 kilocycles, 250 watts, unlimited time, subject to the condition that a construction permit will not be issued until The Brockway Company has satisfied the Commission with respect to the following within 90 days of conditional grant, in accordance with the procedural requirements announced in the public notice issued by the Commission on January 26, 1944:

(1) By evidence in writing from the WPB that any authorization of that board necessary to carry the construction to completion has been obtained or that none is required;

(2) That The Brockway Company is in a position to complete all construction necessary to the proposed operation within a reasonable period; and

(3) Acceptance of the grant upon these conditions has been submitted in writing within twenty days of notice of grant.

LICENSE RENEWALS

WBAM—Bamberger Broadcasting Service, Inc., New York, N. Y.—Granted renewal of high frequency FM broadcast station for the period ending June 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

WABF—Metropolitan Television, Inc., New York, N. Y.—Granted renewal of high frequency FM broadcast station for the period ending June 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

WSBF—South Bend Tribune, South Bend, Ind.—Granted renewal of high frequency FM broadcast station for the period ending June 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y., T-New Scotland, N. Y.—Granted renewal of high frequency FM broadcast station for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

W2XEO—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted renewal of ST broadcast station license for the period ending April 1, 1946.

The following stations were granted renewal of licenses for the period ending May 1, 1948:

WCAZ, Carthage, Ill.; KGDM, Stockton, Calif.; KSL, Salt Lake City; WQXR, main and auxiliary, New York City; KEX, Portland, Ore. (Comr. Durr voting for temporary license and further inquiry).

KSL—Radio Service Corp. of Utah, Salt Lake City, Utah—Granted extension of special service authorization to operate with two Federal Telegraph (F-124-A) tubes instead of two Western Electric (298-A) tubes in the last radio stage, for the period during which Order 107 is in effect, but in no event beyond May 1, 1948.

WCAX—WCAX Broadcasting Corp., Burlington, Vt.—Granted renewal of license for the period ending May 1, 1946 (Comr. Durr voting for temporary license and further inquiry).

WIBX—WIBX, Inc., Utica, New York—Granted renewal of license for the period ending February 1, 1946 (Comr. Durr voting for temporary license and further inquiry).

The following stations were granted renewal of licenses for the period ending August 1, 1946:

WMFG, Hibbing, Minn.; KGBS, Harlingen, Texas; WEBQ, Harrisburg, Ill.; WBBL, Richmond, Va.; KICD, Spencer, Iowa.

MISCELLANEOUS

WSTM—Charles P. Blackley, Staunton, Va.—Adopted memorandum opinion ordering issuance of construction permit pursuant to Commission's order of December 19, 1944, authorizing a conditional grant of application for a new station to operate on **1400 kc.,** 250 watts, unlimited time.

Herman Anderson, Tulare, Calif.—Adopted memorandum opinion ordering reinstatement of construction permit for a new station to operate on **1240 kc.,** 250 watts, unlimited time, conditionally granted on December 5, 1944, and set aside December 12, 1944.

WTAQ—WHBY, Inc., Green Bay, Wisc.; WHBY—WHBY, Inc., Appleton, Wisc.—Granted petition requesting finding that the operation of said stations is not in conflict with Sec. 3.35 (Multiple Ownership Rules of the Commission), and granted renewal of license for WHBY, Appleton, for the period ending February 1, 1946, and WTAQ, Green Bay, for the period ending November 1, 1945.

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.; KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Adopted orders ordering cancellation of the hearing on applications for renewal of licenses and removed applications from the hearing docket. These applications were designated for hearing on the issues relating to Sec. 3.35, the Multiple Ownership Rules, which have now become moot because transfer of control of station KPAS has been effected.

The Conn. Television Co., Booth Hill, Conn.—Retained in the pending file application for new television station.

State Teachers College at West Chester, Pa., West Chester, Pa.—Placed in the pending file application for new noncommercial educational broadcast station.

(Continued on next page)

The following applications for new FM broadcast stations were placed in the pending file in accordance with Commission policy of February 23, 1943:

Robert F. Wolfe Co., Fremont, Ohio; Hudson Broadcasting System, Inc., Mt. Vernon, N. Y.; Hagerstown Broadcasting Co., Hagerstown, Md.; The Haverhill Gazette Co., Haverhill, Mass.; Mark K. Wilson, Chatanoonga, Tenn.; Augusta Broadcasting Co., Augusta, Ga.; Myles H. Johns, Milwaukee, Wis.

W2XCS—Columbia Broadcasting System, Inc., New York City.—Granted modification of construction permit authorizing a new experimental television broadcast station, for extension of completion date from 5-12-45 to 11-12-45. (B1-MPVB-128)

APPLICATIONS FILED AT FCC

970 Kilocycles

WFLA—The Tribune Company, Tampa, Fla.—Acquisition of control of licensee corporation by A. W. Curry and R. Keith Kane, Trustees under the will of John Stewart Bryan (deceased), D. Tennant Bryan, John Stewart Bryan, Jr. and Amanda Bryan Kane through purchase of 106 shares common stock by A. W. Curry and K. Keith Kane, Trustees under the will of John Stewart Bryan (deceased) from J. S. Mims, Truman Green, J. C. Council, H. L. Mims, Chas. Frank Hamilton and George P. Webb.

1120 Kilocycles

NEW—T. V. Tidmore, tr/as Pottsville Broadcasting Co., Pottsville, Pa.—Construction permit for a new standard broadcast station to be operated on **1120 kc.**, power of 250 watts and limited hours of operation.

1240 Kilocycles

WSSV—Southside Virginia Broadcasting Corp., Petersburg, Va.—License to cover construction permit (B2-P-3763 as modified) for a new standard broadcast station.

WSSV—Southside Virginia Broadcasting Corp., Petersburg, Va.—Authority to determine operating power by direct measurement of antenna power.

1340 Kilocycles

WNBH—E. Anthony & Sons, Inc., New Bedford, Mass.—Authority to determine operating power by direct measurement of antenna power.

1370 Kilocycles

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner, Rochester, N. Y.—License to cover construction permit (B1-P-2924 as modified) which authorized change in frequency, increase in power, installation of new transmitter, directional antenna for day and night use and move of transmitter.

WSAY—Brown Radio Service and Laboratory (Gordon B. Brown, owner), Rochester, N. Y.—Authority to determine operating power by direct measurement of antenna power.

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of construction permit (B1-P-2924, as modified, which authorized change in frequency, increase in power, installation of directional antenna for day and night use and new transmitter, and move of transmitter) for extension of completion date from 5-5-45 to 5-19-45.

1450 Kilocycles

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Construction permit to make changes in transmitting equipment.

KFMB—Worcester Broadcasting Corp., San Diego, Calif.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—Durham Radio Corp., Durham, N. C.—Construction permit for a new high frequency (FM) broadcast station facilities not specified. AMENDED: to specify frequency of **46900 kc.**, coverage of 14,200 square miles, transmitter site and antenna.

NEW—Oshkosh Broadcasting Co., Oshkosh, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on **44500 kc.**, with coverage of 3,810 square miles. AMENDED: to change name to Myles H. Johns, William F. Johns, Jr., William F. Johns and Frederick W. Renshaw, d/b as Oshkosh Broadcasting Company.

NEW—Joe L. Smith, Jr., Beckley, W. Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43900 kc.**, with coverage of 25,020 square miles.

NEW—Piedmont Broadcasting Corp., Danville, Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47900 kc.**, with coverage of 15,100 square miles.

NEW—Laurence W. Harry, Fostoria, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **49300 kc.**, coverage of 1,043 square miles.

TELEVISION APPLICATIONS

W3XPD—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-121 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPE—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-117 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPF—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-118 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPG—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB 119 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPH—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-120 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPI—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-122 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPK—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-123 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPL—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-143) for a new Experimental Television Relay Broadcast Station.

NEW—Oregonian Publishing Co., Portland, Oregon—Construction permit for a new commercial television broadcast station to be operated on Channel #4 **(78000-84000 kc.)**, ESR 677.

MISCELLANEOUS APPLICATIONS

NEW—The Pennsylvania State College, State College, Pa.—Construction permit for a new noncommercial educational broadcast station to be operated on **42100 kc.**, power of 10 KW and special emission for FM.

NEW—Georgia School of Technology, area of Atlanta, Ga.—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190 and 2830 kc.**, power of 150 watts and A3 emission.

(Continued on next page)

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

Nutri-Vac Co.—A complaint has been issued charging the Nutri-Vac Co., 7433 West Blanchard St., Milwaukee, with disseminating false advertisements concerning the therapeutic properties of a vitamin preparation designated Nutri-Vac. (5314)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Case-Littell Co., 1017 East 40th St., Seattle, engaged in the sale of furniture, agrees that it will cease and desist from representing as the customary or regular prices or values of articles of furniture or other merchandise, amounts which are fictitious and in excess of those at which such articles are regularly and customarily offered for sale in the usual and normal course of business; or representing that a purchaser at the price offered him saves the difference between such sales price and the purported regular price. (4055)

Feed Supplies, Inc., and Killer-Diller Corporation, both of Milwaukee, engaged in the sale of a preparation designated Kil-Balm, stipulated that they will discontinue representing that the product will rid buildings or homes of rats or mice or cause such rodents to crawl outside to die. (03283)

Frankford Umbrella Manufacturing Co., Inc., 1201 Race St., Philadelphia, entered into a stipulation to discontinue offering for sale or selling umbrellas, the coverings of which are made of or contain rayon without clearly and unequivocally disclosing in invoices, labeling and advertising matter that the covering material is rayon. (4054)

Hope, Inc., 138 West 25th St., New York, engaged in the sale of Hope Laxative, has entered into a stipulation to cease and desist from representing that the preparation acts gently or does not cause griping, and from disseminating any advertisement which fails to reveal that the preparation should not be used in the presence of symptoms of appendicitis; provided, however, that such advertisement need only contain the statement: "CAUTION: Use only as directed," if the directions for use on the label or in the labeling contain a warning to the same effect. (03282)

David Korn & Co., Inc., 105 Madison Ave., New York, engaged in the sale of women's rayon slips and nightgowns, stipulated that it will cease and desist from representing that its garments are fagoted or sewn with nylon thread when such is not a fact, and from using the word "nylon" in any manner tending to convey the belief that the garments are made of nylon when actually they are composed of other material or fibers. (4053)

Keenan Laboratories, Frostproof, Florida, entered into a stipulation to cease and desist from making the representations in connection with the sale of a medicinal preparation designated "Key-Mins." (03285)

Richman Chemical Products Co., 2526 West Van Buren Street, Chicago, engaged in the sale of Royal Block Welding Compound, entered into a stipulation to discontinue representing by the use of the words "weld" or "welding" in connection with the trade name of the product, or otherwise, that it will effect a weld or fusion of metal parts. (03284)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Associated Merchandising Corp., 1440 Broadway, New York, and 21 member corporations which individually operate department stores in large cities throughout the country, have been ordered to discontinue knowingly inducing and receiving discriminatory prices on purchases of merchandise from manufacturers, producers and suppliers; in violation of Section 2(f) of the Robinson-Patman Act.

A.M.C. was created and is operated by the respondent members, the Commission finds, as an agency and means whereby they are enabled to act collectively to obtain special allowances and discounts on purchases of merchandise for their respective stores. In one year the combined sales of the stores approximated $425,000,000, and, according to the Commission's findings, about 25% of all the merchandise handled by the stores is purchased by or with the aid of A.M.C. Respondent members of A.M.C. are:

Abraham & Straus, Inc., Brooklyn; L. S. Ayres & Co., Indianapolis; Bloomingdale Bros., Inc., New York; The Herzfeld-Phillipson Co., Milwaukee; Bullock's, Inc., Los Angeles; Burdine's, Inc., Mimai, Fla.; The Dayton Co., Minneapolis; The Emporium-Capwell Co., San Francisco and Oakland, Calif.; Wm. Filene's Sons Co., Boston; B. Forman Co., Rochester, N. Y.; Joseph Horne Co., Pittsburgh; J. L. Hudson Co., Detroit; Hutzler Brothers Co., Baltimore; The F. & R. Lazarus & Co., Columbus, Ohio; The Rike Kumler Co., Dayton, Ohio; The John Shillito Co., Cincinnati; Stix, Baer & Fuller Co., St. Louis; Strawbridge & Clothier, Philadelphia; The Wm. Taylor Son & Co., Cleveland; Thalhimer Brothers, Inc., Richmond, Va.; and R. H. White Co., Boston. (5027)

Giljan Medicine Company, Inc., Keith Building, Cincinnati, and its officers, Henry S. Dunlap, George Remus and Blanche Watson, have been ordered to cease and desist from disseminating false advertisements concerning a medicinal preparation they sell under the names "Giljan" and "Giljan Laxative Compound." The order is also directed against The Key Advertising Company, Cincinnati, which prepared and disseminated the objectionable advertisements. (5216)

Ocean Food Products Co.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of canned food products has been issued against Charles P. Halfhill, Theodore A. Halfhill, Harry J. Halfhill and Harry J. Halfhill, Jr., trading as The Halfhill Co. and as Ocean Food Products Co., 714 West Olympic Blvd., Los Angeles. (5267)

FTC DISMISSES COMPLAINT

The Federal Trade Commission has dismissed without prejudice its complaint charging Institute of Mentalphysics, 213 South Hobart Blvd., Los Angeles, and Edwin J. Dingle, president, with false and misleading representations in connection with the sale of correspondence courses of instruction in matters pertaining to health, success, and well-being.

It appears from the evidence that the representations challenged in the Commission's complaint relate to the teachings and doctrines of the Church of the Holy Trinity, located at Los Angeles, California. The respondents relied upon the defense that the subject matter falls within the principle announced by the Supreme Court in U. S. v. Ballard, 322 U. S. 882, and that, consequently, the representations are not within the Commission's jurisdiction.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 21, May 25, 1945

Committee to Name NAB Operating Head

T. A. M. Craven, former FCC Commissioner and now an NAB Director-at-Large, heads a committee of six to secure an operating head for NAB.

The Board of Directors meeting in Omaha last week, Wednesday and Thursday (16-17), devoted a large part of the time to a consideration of the NAB presidency.

G. Richard Shafto reported that the Committee to Select a President had investigated over thirty persons whose names had been suggested. He stated that there were two who would make an acceptable permanent head of NAB but that neither would be available until after the war was finally concluded.

Acting upon the Shafto Committee suggestion, the Board moved to draft Paul W. Morency, WTIC, veteran 1st District Director, as interim president for a one-year term from July 1. A wire, signed by all Board members present, was sent to L. Edmund Zacher, president, Travelers Insurance Company, owner of WTIC. A one-year leave of absence was asked, but an unfavorable reply was received.

It was following this that the Board elected a six-man committee consisting of T. A. M. Craven, G. Richard Shafto, John J. Gillin, Jr., J. Leonard Reinsch, Dr. Frank Stanton and William B. Way. The committee later named Commander Craven as Chairman.

President J. H. Ryan, having reiterated his determination to relinquish the post on July 1, the committee is expected to meet at an early date to consider a temporary operating head.

While the presidential consideration took up a large portion of the two-day session, the Board dealt with a number of other matters.

Two proposed By-Law amendments were recommended to the membership for referendum vote. These follow:

PROPOSED AMENDMENT NUMBER 1

Article VII, Section 2, be amended by striking therefrom the following language: "operating power to govern these classifications;" that in lieu of the words stricken the following shall be inserted: "as used herein the term 'large station' shall be deemed to include all standard broadcast stations in Class 1-A and Class 1-B and in Class 2 above 5,000 watts power, and FM stations in Class C, and television stations. The term 'medium station' shall be deemed to include standard broadcast stations in Class 2 above 250 watts power and up to and including 5,000

(Continued on next page)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

watts power, and all standard broadcast stations in Class 3-A and Class 3-B, and FM stations in Class B. The term 'small station' shall be deemed to include all standard broadcast stations in Class 2 of 250 watts power and all standard broadcast stations in Class 4, and FM stations in Class A."

PROPOSED AMENDMENT NUMBER 2

ARTICLE III

MEMBERSHIP

Section 1. No change.

Section 2. No change.

Section 3. ASSOCIATE MEMBERS. Any individual, firm, or corporation engaged in any business or profession directly connected with radio broadcasting but not such as to come within the requirements for Active membership, *or any individual, firm, or corporation which has filed with the Federal Communications Commission an application for, or has been granted a construction permit, but does not come within the requirements for Active membership shall be eligible to become an Associate member in the Association.*

Associate members shall not be entitled to any vote.

Section 4. VOTING. Each Active member in the Association whose dues are not more than one month in arrears shall *appoint and designate in writing* to the Secretary-Treasurer, *upon call,* the name of one person to be its representative in the Association and who shall represent, vote and act for the member in all of the affairs of the Association. The person thus designated must be an owner, a partner, an officer, or an executive *whose time is devoted principally to the business of such active member.* There shall be one vote for each Active membership. *Provided that this provision shall not preclude the appointment to standing or special committees of other persons actively employed by any member station.*

Section 5. DURATION OF MEMBERSHIP AND RESIGNATION. Membership in the Association *shall continue and be in full force and effect until some person legally qualified to act for the member shall give proper notice in writing to the Secretary-Treasurer of the Association of the intention of the member to withdraw from membership,* or as otherwise provided in these By-Laws. *All rights of membership shall terminate upon the submission of a withdrawal notice.*

No member whose dues are in arrears may be reinstated in membership unless all sums due and owing the Association are paid in full.

Violation of the By-Laws shall be considered sufficient cause for the suspension or termination of membership. Such suspension or *termination* of membership shall be by a two-thirds vote of the entire membership of the Board of Directors; provided, that a statement of charges shall have been mailed by registered post *to the person designated as the representative of the member* at least 15 days before final action is taken thereon. This statement shall be accompanied by a notice of the time and place of the meeting of the Board of Directors at which the suspension or termination will be considered and a representative of the member shall have the opportunity to appear and present any defense before final action is taken.

Section 6. *NON-PAYMENT OF DUES. Any member who for a period of four months has failed to pay the dues incident to his membership and for which proper billing has been made by the Secretary-Treasurer, shall automatically be dropped from membership.*

For good and sufficient cause the Secretary-Treasurer may extend the period of delinquency but in no case shall such an extension total more than an additional four months.

ARTICLE IV

DISTRICTS

(Same as present Article III, Section 4.)

ARTICLE V

DUES

Section 1. (Same as present Section 1, Article IV.)

Section 2. *CERTIFICATION. Annually, on the call of the Secretary-Treasurer of the Association, each Active member shall certify, in accordance with the provision of Section 1 of this Article, the class into which its volume falls; provided, that any active member who for any reason is unable to determine the net receipts from the sale of time received in the previous calendar year, shall continue to pay dues upon the basis of the previous classification until such time as his certification can conveniently be made, in which event any change in the amount of dues attaching to such active membership shall be retroactive to the beginning of the calendar year.*

Section 3. For the purposes of determining dues, the stations shall be classified as to range of income as follows:

Class	*Range of Income*	
A	$ 0 -	$ 15,000
B	15,001 -	36,000
C	36,001 -	60,000
D	60,001 -	80,000
E	80,001 -	120,000
F	120,001 -	160,000
G	160,001 -	200,000
H	200,001 -	300,000
I	300,001 -	400,000
J	400,001 -	500,000
K	500,001 -	600,000
L	600,001 -	700,000
M	700,001 -	800,000
N	800,001 -	900,000
O	900,001 -	1,000,000
P	1,000,001 -	2,000,000
Q	2,000,001 -	4,000,000
R	4,000,001 -	6,000,000
S	6,000,001 -	8,000,000
T	8,000,001 -	10,000,000
U	10,000,001 -	12,000,000
V	12,000,001 -	16,000,000
W	16,000,001 -	20,000,000
X	Over 20,000,000	

The Board of Directors shall determine each year the monthly dues applicable to each of the above classifications, and the schedule of dues so adopted shall be mailed to each member station at least 30 days prior to the beginning of the fiscal year to which the schedule is applicable.

All dues shall be payable in advance annually, semi-annually, quarterly, or monthly.

Section 4. Effective January 1, 1942, Active members

(Continued on next page)

"TELLING THE WORLD" REPORT NO. 1

Local Originations in Support 7th War Loan During Warmup Period May 1-12

(Excluding Network and National Spot)

Treasury Salutes	15 Min-ET	4,594
Music for Millions	15 Min-ET	1,123
Sing for the 7th	5 Min-ET	216
Treasury Song for Today	5 Min-ET	52
Spots	Live & ET	38,203
Other Programs:	2-Min	350
	3-Min	484
	5-Min	1,895
	10-Min	144
	15-Min	2,606
	25-Min	31
	30-Min	62
	45-Min	2
	1-Hr	16
	1¼-Hrs	2
	1½-Hrs	2
	2-Hrs	2
	2¾-Hrs	2

Stations went all out for the 7th right on schedule—May 13. No. 2 reports, now on hand, for May 13-19 prove it. Watch for this tabulation next week.

Have You Sent NAB Your "Telling the World" Reports?

No. 3 is due May 28

No. 4 is due June 4

Please send No. 1 and 2 if you haven't done so

whose stations are located in the territories or insular possessions of the United States shall for the duration of the war pay dues upon the basis of 50 per cent of the dues provided in Section 1 of this Article.

Section 5. The Board of Directors shall determine the dues for various classes of Associate Membership.

DIRECTORS-AT-LARGE ELECTION

A. J. Eckhardt, resident partner of Ernst & Ernst, under whose direction the directors-at-large referendum is being conducted, has reported to the secretary-treasurer the outcome of the first or primary balloting. Over 500 votes were cast with the following result:

Two large station directors were elected. J. Leonard Reinsch, WSB, WHIO, WIOD, and J. Harold Ryan, WWVA, each received a majority of all votes cast and were declared elected.

One medium station director was elected. T. A. M. Craven, WOL, vice president of the Cowles Broadcasting Company, achieved election, having received a majority.

Nominated to contest in the final balloting of the remaining medium station director post are: G. Richard Shafto, WIS; C. T. Hagman, WTCN; and Clarence Leich, WGBF.

None of the nominees in the small station classification received a majority. The final election ballot will therefore contain the names of the four accorded the highest number of votes. These are: Matthew H. Bonebrake, KOCY; Dietrich Dirks, KTRI; Clair R. McCollough, WGAL; and Marshall Pengra, KRNR.

The final ballots in this director-at-large referendum which will also involve two by-law amendment proposals, were mailed to the membership today (25) by Ernst & Ernst. All ballots are returnable by June 14.

NAB OPPOSES DISCLOSURE AT ORAL ARGUMENT

At the oral argument held before the Federal Communications Commission, Monday, May 21st, the National Association of Broadcasters submitted a Supplemental Brief in which recommendations for the clarification of the Commission's proposed rules 1.301-1.304 were made.

Among other things it was proposed that the date for filing Annual Reports to the FCC should be postponed until April 1st of each year, instead of March 1st as heretofore. Clarification of language in Section 1.302 was proposed which would call specifically only for contracts relating to ownership, management or control of the licensee and contracts relating to network service, transcription network service and sales of time for purpose of resale (amounting to two hours or more per day).

In connection with the ownership report, the Brief supported changes which would call for information on any corporation above the licensee which either controls or owns 20% or more of the stock of the licensee. In the case of second-removed companies it was proposed that only infor-

(Continued on next page)

mation regarding those companies which control the holding company or which own 25% or more of the holding company's stock be reported. This would meet the statutory requirements regarding alien ownership. It was proposed further that annual ownership reports be eliminated in view of the fact that interim reports are called for.

John Morgan Davis, General Counsel for the Association, made the oral argument before the Commission. He said that the Association would not oppose the making public of the ownership reports provided no competitive information was disclosed, such as the date of execution and expiration of contracts. He vigorously opposed, however, the making public of financial reports and of contracts which licensees have entered into. He pointed out that there was a clear distinction in the Communications Act between common carriers and broadcast stations and that for the Commission to make public the financial reports of broadcast stations would nullify the Congressional intent of retaining the privacy of Income Tax returns. He reviewed the unfortunate experience during two previous occasions when Income Tax returns were made public and stated that the Congress which repealed the provision of the tax laws which made public the Returns was the same Congress which passed the Communications Act of 1934.

Following closely the Brief which NAB filed previously (NAB Reports—May 11, 1945—page 188) he said that unless the Commission had some compelling reason why these matters should be made public it should refrain from doing so.

At the conclusion of Mr. Davis' presentation he pointed out that disclosing the information on file with the Commission to the public would add nothing to the Commission's knowledge. He said "consequently, it would seem that no useful purpose would be served except to cater to idle curiosity or to the malicious ideas perhaps of some person attempting to cash in on the information gathered from the Commission's files."

Commissioner Clifford J. Durr questioned Mr. Davis as follows:

Commissioner Durr: What use do you think the Commission should make of this information which it collects for its own purposes?

Mr. Davis: It should use it in its discharge of its duties in properly regulating the ether.

Commissioner Durr: I don't know what you mean. That is a broad general statement. You said that the public is interested only in the outcome and that they could rely on the Commission to represent them in seeing that a good public service was rendered.

Mr. Davis: That is right.

Commissioner Durr: For what purpose do you think the Commission should use this information which it has, if it is not made available to the public? I would like for you to be specific, if you can.

Mr. Davis: It is rather difficult for me to go behind the scenes of the Commission and attempt to show you in what manner it should be used. It is my belief that there are many problems which arise in the proper regulation of the broadcasting industry for which purposes the Commission can utilize this information, giving the Commission a broader knowledge of the entire operation of the industry, and in specific cases of the operation of the particular station which it happens to be interested in at that moment.

Commissioner Durr: Do you think it should be used merely for the purpose of determining whether a station is financially qualified?

Mr. Davis: I think that is the major purpose for which it should be used.

Commissioner Durr: Do you think that has any bearing on the quality of service which a station renders?

Mr. Davis: Well, it can have some bearing.

Commissioner Durr: You believe, I assume, in the maximum of regulation by the public and the minimum by the Commission?

Mr. Davis: In the sense of programming, very definitely.

Commissioner Durr: How is the public going to regulate unless it is fully informed?

Mr. Davis: It doesn't seem to me that the public could ever base any regulation of programming on knowledge of the financial condition of a particular station.

Commissioner Durr: Don't you think that the public should be in position to require more in the way of a better quality of program service from a station that has the resources to give better service than a station which doesn't have the resources?

Mr. Davis: It has been my experience that the public doesn't care, that when it wants certain things from a radio station it gets them. It makes its wants known very definitely and the station will do its best to comply with the wishes of the public.

Commissioner Durr: Do you think the public gets just what it wants from radio stations?

Mr. Davis: I have a very strong feeling on that point, sir. I have watched them in operation from the programming angle as well as from the legal side, and I think they are pretty well capable of taking care of themselves as far as programs are concerned.

But I think, from the angle of regulation, the Commission itself is entitled to this information and can do a better job because of it.

Commissioner Durr: Don't you think the public would be in better position to demand a better quality of program if they had information as to how much a station is spending in producing programs?

Mr. Davis: I don't believe so. My feeling is that the average person doesn't care what the radio station is spending. A station may spend very little and yet have very fine programs or programs that interest its listeners. Now, the actual expenditure of money on programming doesn't insure good programs—never has and never will, and I believe that the public, with its limited knowledge——

Commissioner Durr: (Interposing) The failure to spend money on programs is likely to produce a lower quality of programs than a program that does have money spent on it. Isn't that right?

Mr. Davis: Well, that is a matter we think we could probably get examples on both sides of the fence. I believe that some stations do a grand job of programming with the minimum of expenditure and other stations by spending any amount of money never get anywhere.

Commissioner Durr: Do you think the amount of money stations spend on programs has nothing to do with the quality of programs that come out?

Mr. Davis: Has very little to do with it.

Commissioner Durr indicated other uses to which he thought the financial information might be put in his questioning of Mr. Pierson. The following exchange took place:

Commissioner Durr: Do you think the competitive system requires that there be competition for frequency?

Mr. Pierson: That there be competition among broadcasters for frequencies?

Commissioner Durr: Yes.

Mr. Pierson: Only so far as there are enough frequencies to satisfy all of them.

Commissioner Durr: Don't you think competition for frequencies might be stimulated if the public knew what a broadcaster was earning on his frequency?

Mr. Pierson: Mr. Durr, I really don't believe you need to encourage people to file broadcast applications. I think you have far more than can be granted now.

and later questioned Mr. Pierson as follows:

Commissioner Durr: I understand you to say you thought that the Commission might permit the inspection of these records upon special application if the person making the inspection should show that he had a real legitimate interest in looking at the files.

Mr. Pierson: I think the only instances in which it should be would be where it was necessary for the proper dispatch of the Commission's business to make public certain information that bears upon a proceeding before the Commission.

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Commissioner Durr: You also said you didn't think the public would be inclined to look at these records in any event, because they are too complicated and voluminous.

Mr. Pierson: I mean the public that would be examining the information——

Commissioner Durr: Suppose someone should come to the Commission and say, "I represent a group in such and such a city, and there is only one radio station there and I have been trying to get time on the radio station for this organization of mine which have specific purposes to serve, and the radio station says they can't afford to do it because they are all sold out and not making any money, and I would like to check upon the records to see whether that is the situation, because if I find they can afford financially to make a little time available, I will put the heat on them"?

Mr. Pierson: I would require that person to file a written request.

Commissioner Durr: You think that type of application should be granted?

Mr. Pierson: I think if there was no ulterior motive behind it, perhaps. I think if it were going to be used in the specific instance you gave where there was only one station— There, we have a monopoly, anyway, and perhaps my argument wouldn't apply.

Commissioner Durr: Suppose there are two or three stations and they have the same experience with all of them, say none of the stations will give time on the air?

Mr. Pierson: I think, of necessity, the Commission would have to weigh of the good faith of the one making the request against the unfairness to the broadcaster revealing it, and the possibility that it might be used by the broadcaster's competitor to take advantage.

Commissioner Durr: You think if we are convinced of the good faith of the person requesting, we should grant that type of request?

Mr. Pierson: I think so. I think there will be so few that you won't have much trouble with it.

Several attorneys appeared for a number of other licensees and networks, all of whom supported, in general, the position of NAB.

It is anticipated that the Commission will issue its Order within the next few weeks.

NEW CENSORSHIP CODE

Accompanied by a statement by the NAB board of directors, notice of a relaxed code has been sent to all broadcasters from the Office of Censorship. Revision standardizes code for radio and all publications.

A reprint of the statement from NAB board, and the revised code, follows:

Statement, NAB Board of Directors

"We have beaten one enemy in a small area, we have to defeat as tough an enemy in an immense area. The war against Japan is a major war. American lives are yet at stake and American boys still fight for the United States of America.

"Some changes have been made in the code of wartime practices for American broadcasters because of the changed war situation. Some relaxations of other wartime controls result from what already has been accomplished. But this is no time to quit. We cannot forget our boys in the Pacific for whom the war is not over, for whom death is ever near and for whom home is far away.

"Great opportunity and great responsibility still face the American broadcasters—responsibility to protect the safety and speed the progress of our armed forces, opportunity to continue to do this through voluntary censorship.

"The American broadcasters thus far have made a success of voluntary censorship in this nation at war, a success that is a glowing part of the important and vital total contribution of American radio toward the national war effort and final victory.

"Continued cooperation in voluntary censorship and careful attention to security matters are necessary until the last shot is fired against the enemy—and there is no replying shot. We commend this necessity to the conscience and the conscientiousness of every American broadcaster."

Code of Wartime Practices

(Edition of May 15, 1945)

All media of publication and radio are asked not to publish or broadcast information in the following classes *except when such information is made available for publication or broadcast by appropriate authority or is specifically cleared by the Office of Censorship:*

(As used throughout this Code the term "Pacific-Asiatic area" means the Far Eastern combat zone, including the southwestern Alaskan peninsula, and the land and water areas of the entire Pacific Ocean except the coastal waters of South America, and extending westward on land and sea to and including Aden, Capetown, and the east coast of Africa. See map on back cover.)

War Plans

Secret war plans, or diplomatic negotiations or conversations which concern military operations.

Enemy Attacks

Information about actual or impending enemy attacks on continental United States.

Armed Forces

Identity, movement, or prospective movement of Allied Army, Navy, or Marine Corps units which are in, have been alerted for, or are on their way to, the Pacific-Asiatic area from American territory anywhere; those moving or about to move directly from Europe to the Pacific-Asiatic area.

Exact composition, character and equipment of Allied troops which are in, or preparing for, service in the Pacific-Asiatic area.

Identification of members of the Allied Armed Forces with military or naval units or ships, when such units or ships are in, or en route to, or are returning from, the Pacific-Asiatic area.

Identification of combat casualties until made available by the War or Navy Department or next of kin.

Ships

Identity, location, character, description, movements, and prospective movements of naval vessels, transports, and convoys.

Identity, location, cargoes, and movements of merchant vessels.

Existence of mine fields or other harbor defenses, including secret guides to navigators.

Dates of launchings and commissionings of naval vessels.

Information about the sinking or damaging from war causes of war or merchant vessels.

Planes

Disposition, composition, movements, missions, or strength of Allied military air units within or proceeding to or from the Pacific-Asiatic area; military activities of commercial air lines in the Pacific-Asiatic area.

Information concerning new and current military aircraft and related items of equipment.

Fortifications and Installations

Location and description of fortifications, coast defense emplacements, antiaircraft guns and other air defense installations, including defense installation details of public airports used for military purposes; location or description of camouflaged objects.

Production

New or secret weapons, identity and location of plants making them; secret designs, formulas, processes or experiments connected with the war.

Rate of production of matériel used in or for specialized military operations.

Movement or transportation of war matériel.

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MILITARY INTELLIGENCE

Information concerning war intelligence or counter-intelligence, operations, methods or equipment of the United States, its allies, or the enemy.

Secret detection devices.

Secret United States or Allied means or systems of military communications.

WAR PRISONERS

Information as to arrival, movements, confinement or identity of military prisoners from the Pacific-Asiatic area.

TRAVEL

Advance information on routes, times, and methods of travel by the President.

Movements of ranking Army, Navy, and Marine officers to, from, or within the Pacific-Asiatic area.

PHOTOGRAPHS AND MAPS

Photographs or maps conveying any of the information specified in other sections of this Code; aerial photographs of harbors, war plants, military or vital defense installations.

Notes and Reminders

Combat Zone Interviews and Letters.—Interviews with service men or civilians involving combat zones (including accounts of escapes) should be submitted before publication or broadcast either to the Office of Censorship or the appropriate Army or Navy public relations officer.

Letters from combat areas are censored in the field only for home consumption, not for publication or broadcast. When such letters are published or broadcast, information in conflict with provisions of this Code should be eliminated. Special care should be used in handling escape accounts to eliminate all escape details and information which might lead to reprisals or endanger future escapes.

Accredited Military and Naval Correspondents.—No provisions in this Code modify obligations assumed by accredited correspondents who accompany Army or Navy forces or are given special accrediting by the War or Navy Department to visit restricted areas in the United States. The accrediting department concerned is the censorship agency for all resultant material.

War News Coming Into the United States.—Generally, war information originating outside United States territory may be published or broadcast if its origin is made plain (no material conflicting with the Code should be added in rewriting information received from abroad).

Information from the United Kingdom which has not been cleared by British Censorship should not be published or broadcast if it conflicts with this Code.

Material sent across the United States-Canadian border should contain nothing that conflicts with censorship restrictions of the country in which it originates.

"MILEPOSTS"

RALEIGH, N. C.—WPTF announces "Carolina Mileposts," a quarter-hour program, dramatizing stories behind the historical markers on North Carolina's highways and city streets.

The program is broadcast from the radio workshop of the University of North Carolina at Chapel Hill.

RELIGIOUS BROADCASTING BOOKLET ISSUED

(As released by NAB News Bureau, May 21)

As an aid to religious broadcasters in using the great potentialities of radio, E. Jerry Walker, staff consultant on radio for the International Council of Religious Education, has written a guide in booklet form for those who prepare and present religious programs. This manual, entitled "Religious Broadcasting," has been published by the National Association of Broadcasters.

"On the whole," says Mr. Walker in offering this booklet to those using radio for religious purposes, "the radio industry is only too happy to give its services without compensation for religious broadcasts. Such program time is counted as a public service to the listener. It is for the religious broadcaster to match this gift with the very best in carefully prepared and presented religious programs."

A perusal of this pamphlet gives evidence of careful and conscientious attention paid to a delicate subject by the writer who has coupled a comprehensive knowledge of techniques in broadcasting and the problems of those engaged in religious endeavor who would use this powerful means of reaching the people.

The pamphlet carefully covers all phases of religious programs from basic planning to program presentation and is commended to religious bodies for examination.

FCC ANNOUNCES PROPOSED ALLOCATION BELOW 25 MC

On May 21, the Federal Communications Commission announced the proposed allocation in the portion of the radio spectrum below 25,000 kc. Of particular interest to broadcasters is the proposal to establish one additional broadcast channel on 540 kc and the allocation of 120 channels for direct international short-wave broadcasting, some of which will be available to stations in the United States, and the Commission's proposal to continue relay broadcast service in the portion of the spectrum between 1.6 and 3 mc.

Panel 4 of the Radio Technical Planning Board had urged the extension of the broadcast band to include 530 and possibly 520 kc. The Panel also stressed the importance of retaining frequencies for relay broadcasting in the 1.6 to 3 mc region for use by this service over comparatively long distances. The Commission states that oral argument will be held before the Commission en banc beginning June 20, 1945, if written requests for oral argument are received on or before June 6, 1945. All persons who have filed requests to be heard in oral argument are asked to file with the Commission on or before June 13, 25 copies of the brief or any exhibits proposed to be introduced at the oral argument.

Under date of May 21, Howard S. Frazier, chairman of Panel 4, mailed copies of the Commission's proposed report to members and alternates of the Panel, together with a request that they express their views after reviewing the Commission's proposed allocation in connection with the standard broadcast service. No decision has yet been made as to whether or not the Panel will participate in the oral argument. Some members of the Panel have expressed disappointment that the Commission has not proposed the extension of the broadcast band beyond 540 kc. The portion of the proposed allocation covering standard broadcasting is reprinted below in its entirety.

SECTION 7—STANDARD BROADCAST SERVICE AND OTHER BROADCAST SERVICES

(Relay, St. Satellite Control, Development and Experimental)

I—STANDARD BROADCAST SERVICE

The standard broadcast band extends at the present time from 550 to 1600 kc. No proposal was made to enlarge this band by adding frequencies above 1600 kc. Below 500 kc, it was suggested that the frequencies 520, 530, and 540 kc be added.

The use of 520 and 530 kc for standard broadcasting would involve serious problems of interference with auto alarms on the international distress frequency 500 kc. Moreover, most of the radio receiving sets being used today are not equipped to tune to 520 and 530 kc and it is not practicable to modify these receivers (Tr. 935, 938, 981; Ex. 156, pp. 24 and 25). For these reasons the Commis-

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sion does not propose to assign 520 and 530 kc for standard broadcast purposes.

So far as 540 kc is concerned, the use of this frequency would likewise involve problems of interference to the international distress frequency 500 kc. However, with respect to 540 kc, it is believed that the interference problems can be solved by assigning 540 kc for use at appropriate geographical locations and by limiting the intensity of the signals in coastal areas (Tr. 942, 954-956, 958; Ex. 157). Moreover, the evidence shows that with respect to 540 kc, approximately 54% of existing home standard broadcast receivers are capable of tuning to this frequency (Tr. 947, 3678). The Commission, therefore, proposes to assign 540 kc for standard broadcast purposes. However, this frequency at the present time is used for government purposes and it is not known how soon it can be made available for broadcast use.

II—OTHER BROADCAST SERVICES

(Relay, St. Satellite Control, Developmental and Experimental)

Of the several services included under this category, only the relay broadcast service requested allocations below 25 megacycles.

Twelve frequencies are now allocated for relay broadcast below 25 megacycles and these are arranged in groups of 4 each, as shown in the following tabulation. The number of authorizations outstanding as of October 1, 1944, is indicated in parentheses under each group.

Group A (kc)	*Group B (kc)*	*Group C (kc)*
1622	1606	1646
2058	2074	2090
2150	2102	2190
2790	2758	2830
(110)	(82)	(69)

In relay broadcast allocation, one group, including all four frequencies, is assigned to each station (Tr. 3669-3671; Ex. 428).

Panel 4 of RTPB recommended that all of the above frequencies be retained for relay broadcast and that assignments be made in blocks in order to aviod interference from other services (Tr. 3685). Exhibit 156 submitted by Panel 4 of RTPB includes a report of a committee in which it is proposed that 20 channels, 10 kc wide, be provided in four blocks of 5 channels each, in the range between 1600 and 3000 kilocycles.

It is not possible at this time to propose definite allocations for relay broadcasting below 25 megacycles. However, in the light of the testimony indicating a continuing need for relay pickup frequencies having transmission characteristics suitable for operation over comparatively long distances, it is proposed to make provision for the service, on a shared basis, in the following ranges of frequencies. The number and width of the channels will be left for future determination.

1605 to 1800 kc.
2100 to 2250 kc.
2250 to 2300 kc.
2700 to 2850 kc.

In connection with International Broadcasting, it appears the FCC and the Interdepartment Radio Advisory Committee are not in complete accord. Under date of May 21, IRAC Chairman, Captain E. M. Webster, USCG, has transmitted to the Secretary of State the committee's proposed allocation below 25 mc which coincides with the proposals released by the FCC. However, in the letter of transmittal, Captain Webster states as follows:

"It will be noted that this revision includes bands for direct high frequency international broadcasting, a service which was not provided for in the original proposal of 15 June 1944. In this connection, the Interdepartment Radio Advisory Committee respectfully invites attention to its report of 15 June 1944, in which it stressed the fact that from an engineering standpoint adequate frequencies could not be allocated for direct high frequency international broadcasting without depriving other services of their needs. In support of this position, the Interdepartment Radio Advisory Committee endorses the attached August 17, 1944, Report on International Broadcasting Questions prepared by the Technical Subcommittee of the Department of State Special Committee on Communications and transmitted on 4 September 1944 to the International Broadcasting Subcommittee of the Special Committee on Communications, and is of the opinion that:

"1. Direct international broadcasting will not furnish as good a quality signal to the listener as will the indirect or relay method where satisfactory domestic broadcasting service is available.

"2. Assignment to direct international broadcasting of the frequency space proposed would materially curtail essential services such as those involving safety of life.

"3. Because the frequency space proposed is insufficient to make adequate direct international broadcasting facilities available to all countries, perpetuation in aggravated form of the present practice of operating broadcast stations in derogation of the General Radio Regulations will result and will operate to the detriment of other services.

"However, noting the principle adopted by the Special Committee on Communications of the Department of State that direct short wave broadcasts originating in the United States should be continued after the war on a daily basis, and taking into account the feeling of the Commission that it is under obligation to indicate frequencies for direct international broadcasting, the Interdepartment Radio Advisory Committee in its table includes the bands for this service proposed by the Commission."

In contrast to the IRAC views on International Broadcasting, the FCC News Release reads in part as follows:

"No technique such as the transmission of U. S. broadcasts over point-to-point facilities for rebroadcast over domestic stations in foreign countries can take the place of direct broadcasting from the United States to listeners abroad, according to the Commission's report."

Portions of Section 5 of the proposed allocation covering International Broadcasting follows:

Need for Allocation

The Director of the Office of War Information (Tr. 654-658) and the Coordinator of Inter-American Affairs (Tr. 659-663) testified to the great utility of U. S. international broadcasting in making the voice of the United States audible directly to listeners throughout the world in time of war. In time of peace, the need for such direct contact with listeners everywhere will be different, but no less essential. The United States has assumed and proposes to continue a role in world affairs, and international broadcasting is one of the means whereby that role may be made known and understood everywhere. The furthering of international understanding and amity hereafter will require international broadcasting as urgently as it has been required during wartime. Other means of international communication, including the transmission of U. S. broadcasts via point-to-point facilities to foreign countries for rebroadcast there over domestic stations, have a role to play; but no such technique can take the place of direct broadcasting from the United States to listeners abroad, without the need for reliance on intermediate facilities of any kind. Accordingly, the Commission is of the opinion that U. S. international broadcasting on a direct basis should be continued on the fullest scale commensurate with other needs for the frequencies involved.

Position in the Spectrum

All witnesses who appeared in respect to International Broadcasting agreed that the present shortwave broadcast bands between 6000 kilocycles and 26,600 kilocycles should be retained for international broadcasting. All of the witnesses were likewise unanimous in recommending the plan prepared by RTPB, Panel 8, which requested a total

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of 56 frequencies for U. S. International broadcasting. The proposed 56 channels would be in blocks of eight adjacent channels on the low-frequency ends of each of the present shortwave broadcast bands. This arrangement was chosen so that stations within the United States would have control of adjacent channel interference. The RTPB plan recommended retaining the basic general plan that is now in use for wartime operation of international broadcast facilities whereby all frequencies are pooled between east and west coast transmitters in order to make the most efficient use of each frequency for the greatest number of U. S. international stations. A plan of world wide coverage was proposed that would serve the greater part of the land areas of the world from the east and west coasts of the United States by the use of 26 (consisting of thirteen pairs) of the 36 existing transmitters now operating in the Psychological Warfare Service. The remaining ten transmitters would be used as standby units for frequency changes, or for parallel operation on the same frequency to obtain greater effective power. RTPB, Panel 8, proposed use by all U. S. international broadcast stations of the maximum power obtainable, and a minimum power requirement of 50 kw.

Commission Proposal

The Commission proposes the following allocation for international broadcasting on a world-wide basis:

6000 to 6200 kilocycles	15100 to 15300 kilocycles
9500 to 9700 kilocycles	17700 to 17900 kilocycles
11700 to 11900 kilocycles	21500 to 21700 kilocycles

The above is the present allocation for the 6.1, 9.6 and 11.8 megacycle bands. In order to make all bands the same width, 50 kilocycles have been deleted from the 15.2 megacycle band and 100 kilocycles have been added to the 17.8 megacycle band consisting of 50 kilocycles on each end of the present band. The present 21 megacycle band has been narrowed 100 kc by the deletion of 50 kc from each end.

One band above 25 megacycles has heretofore been allocated for international broadcasting. This is the band from 25,600 to 26,600 Kc. This band appears to be useful only during the maximum of the 11-year sunspot cycles. Few, if any, receivers able to cover this band are in the hands of the public. Little U. S. international broadcasting has ever been carried on over these frequencies and little regularly scheduled international broadcasting, if any, by other nations. The propagation characteristics of the 25 Mc region are not such as to make it useful for long-distance service which must be maintained over long periods of time. It appears better suited to low-power intermittent services which can tolerate small amounts of intermittent interference. For these reasons the Commission is discontinuing the 25 Mc international broadcast band. It is the opinion of the Commission that discontinuing this band will in no way handicap international broadcasting, a service of great significance with respect to both U. S. policy and international amity.

In regard to the RTPB's proposal of assigning a block of eight channels for U. S. international broadcast stations on the low end of each of the proposed bands, the Commission in conjunction with the State Department will make efforts to secure this arrangement in international conferences hereafter. In any event, the Commission will make every effort in an international conference to obtain an equitable share of frequency assignments for U. S. international broadcasting.

In regard to the RTPB consideration of radio-type and facsimile transmission by international broadcast stations, the report indicated that simultaneous transmission of aural programs and radio-type or facsimile by methods of multiple modulation will degrade the service due to phase or hum modulation where selective fading is involved. Accordingly, the Commission does not propose to allow simultaneous transmission of radio-type or facsimile with program transmission by means of multiple modulation at this time. However, if at a later date the objectionable technical features of this mode of transmission are overcome, the Commission will give further consideration to authorizing such operation. In regard to the use of radio-type or facsimile on international broadcast stations for broadcast purposes during non-listening hours, the Commission will consider amending its rules to allow such operation in special cases where a showing is made for the need of the operation.

SATELLITE TRANSMITTERS FOR AM

One of the recommendations made by Panel 4 on Standard Broadcasting to the Federal Communications Commission during the allocation hearings was the establishment of satellite AM broadcast transmitters in populous areas where additional signal strength would be advantageous. The Panel proposed that these satellite transmitters be connected by ultra high frequency relay links, thus overcoming some of the technical obstacles that have tended to discourage the establishment of satellite transmitters in the past. The Commission's allocations as announced appear to provide for these ultra high frequency connecting links on an experimental basis until adequate standards for this service can be determined.

At a recent meeting of the Executive Committee of the RMA Transmitter Section, it was decided to establish an RMA subcomittee for the purpose of recommending standards for AM Satellite Transmitters and the ultra high frequency connecting link. Chairman M. R. Briggs of the RMA Committee for AM Broadcast Transmitters has appointed Howard S. Frazier, NAB Director of Engineering and chairman of Panel 4, RTPB, chairman of the subcommittee for Satellite Transmitter Standards. This subcommittee is now in process of organization and it is anticipated the membership of the committee will be announced in the near future. Engineers desiring to participate in this work are invited to communicate with Mr. Frazier at NAB.

DEPARTMENT OF STATE PREPARES FOR RIO DE JANEIRO CONFERENCE

A meeting of the Preparatory Telecommunications Conference was held by the Department of State on May 23 in Washington. The Conference reviewed the specific items appearing in the agenda for the Third Inter-American Radio Conference in Rio de Janeiro on September 3, 1945. The agenda proposes a considerable number of specific subjects in addition to opening up the possibility of revision of the Havana Convention, its accompanying agreement and the Santiago revision thereof.

Francis Colt deWolf, Chief, Telecommunications Division, Department of State, in opening the meeting stated that much preparatory work is necessary in order to have proposals ready in behalf of the United States Government to forward to the other nations for consideration prior to the Rio Conference. The proposed agenda for the Rio Conference as transmitted by the Brazilian Government reads as follows:

> The Brazilian Government, having in view the convenience of giving greater amplitude to the Inter-American Radio Communications Convention concluded and signed in Habana on the 13th of December 1937, and to the Agreement which accompanies it, already revised at the Conference held in Santiago, Chile, in January 1940, proposes that in addition to the matters that are the object of such acts, there be taken up at the conference the following:

Agenda

1. In the revision of the Convention, to examine the possibilities of its amplification with the object of:
    a. Including all forms of telecommunications.
    b. Forming an Inter-American Telecommunications Union and organizing a respective secretariat along the lines of the central office of the International Telecommunications Union, with the

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consequent closing of the present Inter-American Radio Office (OIR).
   c. Changing the present Inter-American Radio Communication Agreement title to that of Inter-American Radio Communication Regulation.
   d. Defining the limits of the American Region.
   e. Standardizing the time in telecommunication services on the American continent.
2. In the revision of the Agreement, to establish the general principles to be observed in the distribution and utilization of radio frequencies, as well as the standards of good engineering practice, especially with reference to the stability of frequencies and width of wave bands.
3. To settle the points of view of the American Governments with reference to the matters which may be the object of the next International Conferences on Telecommunications, and which specially interests all of the American nations, and to draft the respective proposals.
4. Confer on the possibility of calling an international meeting for the solution of short wave radio broadcasting problems.
5. Discuss rates to be applied to inter-American telecommunication services, on the following points:
   a. Reduction of rates.
   b. General standardization of rates in the American region.
   c. Unification of rates for plain language and CDE traffic, and other possible revisions in the classification rates.
   d. Elimination of the gold franc as a basis of payment, and choice of a possible substitute.
   e. Adoption of an equivalent rate in local currency, so that north and south bound rates may be equalized.
   f. Reduction of terminal rates and other charges for telecommunications services.
6. Discuss a proposal presented by the Canadian Government to the effect that the North American Regional Broadcasting Agreement, signed in Habana in 1937 be extended for a period of two years.

Howard S. Frazier represented NAB at the meeting and is serving on several of the preparatory committees.

FCC FM PROPAGATION TESTS

A special committee to work with FCC staff in conducting FM transmission tests has been organized by Chief Engineer George P. Adair of the Federal Communications Commission. This committee held its first meeting in Washington on May 24. The following persons were invited to serve: Major Edwin H. Armstrong, Dr. D. E. Noble, Dr. W. R. G. Baker, Dr. T. T. Goldsmith, Raymond Guy, Dr. William B. Lodge, David B. Smith, Dr. C. M. Jansky, Everett Dillard, Dr. Harold H. Beverage, Dr. Charles R. Burrows, G. F. Leydorf, Cyrus T. Read, D. C. Summerford, A. Earle Cullum, Jr., J. R. Poppele, Frank Marx, Dr. H. W. Wells, G. E. Gustafson, Frank A. Gunther, P. B. Laiser, Robert Higgy, George Lang, Carl H. Wesser and Irving Robinson.

Other persons who feel they may be able to contribute to the FCC testing program were invited to apply for membership on the committee.

In opening the meeting, the FCC chief engineer asked industry cooperation in furnishing personnel and equipment necessary to conduct further transmissions in the portion of the spectrum proposed for FM service between 44 and 108 mc during the coming months.

The Commission, in announcing the final allocation above 25 mc recently, deferred final decision as to just how the portion of the spectrum between 44 and 108 mc should be apportioned between the FM and television services. The purpose of the tests is to provide the Commission's Engineering Department with additional factual data before a final decision is made in connection with the three proposed FM allocations now under consideration by the Commission. The proposals under consideration for the final FM allocation are (1) 50-68 mc, (2) 68-86 mc, and (3) 84-102 mc. The tests as planned will require additional operating hours for certain FM and television sound channel transmitters, in addition to the proposed installation of several experimental transmitters on the higher frequencies.

It was also announced that the Commission is now establishing temporary monitoring stations near Roanoke, Virginia, and Montgomery, Alabama, for the recording of the FM test transmissions.

IMPROVEMENT OF POSTWAR RECEIVERS

Several weeks ago, John V. L. Hogan, president of WQXR, New York, brought to the attention of the Radio Manufacturers Association the reduced selectivity and sensitivity of some broadcast receivers in the portion of the broadcast band 1500-1600 kc. In reply to Mr. Hogan's communication, RMA has released the following statement on this subject:

"We would like to point out that it has been one of the aims of the RMA Standardization Committee on Variable Capacitors to help effect an improved performance, particularly at the high end of the broadcast band.

"In the case of the RMA Class B capacitor, which is used almost exclusively in the type of receivers under discussion, we have adopted a new oscillator capacity variation which 'tracks' the r.f. section considerably better than the old 'curve' which was calculated when the broadcast band range was quite limited.

"We have also improved the stability of the condenser as well as that of the trimmer condenser throughout its useful range.

"Although other components affect selectivity and sensitivity and in subject application their design is a compromise between cost and optimum performance, the RMA Standard variable capacitor will have improved performance over the pre-war units at no cost increase due to this improvement."

INTERNATIONAL RADIO NOISE STANDARDS

An agreement for international cooperation, looking toward the ultimate establishing of standards in connection with the complex problems of radio noise presages far-reaching advances in the future. This agreement has been set up between the American Standards Association, the British Standards Institution, and the Australian Standards Association through the medium of the United Nations Standards Coordinating Committee, according to an announcement made today by Herbert J. Wollner, Secretary-in-Charge of the New York Office of the United Nations Committee.

The increasing use of electronic devices, and of motor-operated gadgets, from vacuum cleaners to generators, is causing extreme interference with radio reception. When improperly installed, fluorescent lights can cause serious interference with radio reception. Considering that a physician's diathermy machine on the East coast of the United States has been found to cause disturbances on radio reception on the West coast, it is easy to recognize the importance of this new activity. The intricate electrical systems in a long range multi-engined aircraft, if improperly designed, can seriously interfere with radio reception over a wide pathway. It is evident, therefore, that efforts directed toward the eventual elimination of radio interference must become international in scope.

The Anglo-American leadership in this important work can now be announced as a result of the decision of the American Standards Association to collaborate. The ASA recently advised the New York Office of the United Nations Standards Coordinating Committee that it is prepared to collaborate with the British Standards Institution and

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the Australian Standards Association with the ultimate objective in mind of arriving at an international basis for the suppression of radio interference. Much ground, however, must be covered before this will all come to pass. First, there will need to be extensive exchange of information, experience, data, and the like. After scientists and engineers on both sides of the Atlantic, and down under, have explored and investigated sufficiently, some decision will presumably be made upon a standard method for measuring radio interference. Then, after full agreement has been reached, a standard method for suppressing radio interference can be looked for.

COMMISSIONERS TO INSPECT RR-RADIO

Five FCC Commissioners will leave May 25 to make a special inspection of railroad radio communications now in experimental use on the Chicago, Burlington & Quincy Railroad between Chicago and Denver.

Commissioners Norman S. Case, Ray C. Wakefield, C. J. Durr, E. K. Jett, and Charles R. Denny, Jr., and members of the Commission's staff will make the round-trip run aboard the Burlington between Chicago and Denver, returning to Washington May 31.

Commissioner Paul A. Walker made a similar inspection on a test run conducted by the Burlington between Chicago and Denver last August.

The Burlington is currently experimenting with equipment which operates in the newly assigned band of frequencies for railroad communications. Special attention will be given to the operation of the system over rough terrain and to its various uses in enhancing efficiency and safety of train operations.

COMPONENT PARTS MAY BE BOTTLENECK

In a letter addressed to the Radio Manufacturers Association, Samuel J. Novick, president of the Electronic Corporation of America, has focused attention upon the great demands that will be placed upon the productive capacity of the plants manufacturing condensers, resistors, transformers and other components which are essential to the manufacture of all radio equipment.

Mr. Novick suggests that RMA develop a plan for organizing the production and delivery of these components so that they will be available in reasonable balance to all manufacturers of radio receivers and transmitting equipment. He points out that unless some control is established over the distribution of components, some manufacturers will be unable to resume production of civilian radio equipment while others may receive these parts in quantities in excess of their immediate needs.

Of further interest to broadcasters is the statement of John Creutz, Chief, Domestic Radio Section of the WPB Radio and Radar Division, while addressing the committee organized by the FCC to conduct FM transmission tests during the coming summer. Mr. Creutz pointed out the heavy radio and electronic requirements of the Pacific war and said control of radio manufacturing would be relaxed when military requirements dropped below seventy-five per cent of the industry's productive capacity.

Federal Communications Commission Docket

HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, May 28. It is subject to change.

Friday, June 1

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license; **1280 kc.,** 1 KW night, 5 KW day, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WFBM—WFBM, Inc., Indianapolis, Ind.—Granted license to cover construction permit which authorized changes in exciter unit of main transmitter.

WFBM—WFBM, Inc., Indianapolis, Ind.—Granted license to cover construction permit which authorized a 1 KW auxiliary transmitter, using DA night.

KVCV—Golden Empire Broadcasting Co., Redding, Calif.—Granted authority to determine operating power by direct measurement of antenna power.

KSUI—The State Univ. of Iowa, Iowa City, Iowa.—Granted modification of construction permit which authorized a new noncommercial educational broadcast station, for extension of completion date from July 16, 1945 to January 16, 1946.

WJR—WJR, The Goodwill Station, Detroit, Mich.—Granted construction permit to change frequencies of relay station to **30820, 33740, 35820, 37980 kc;** change power from 150 watts to 100 watts, and make changes in equipment.

KAZA—WKY Radiophone Co., Oklahoma City, Okla.—Granted construction permit to change transmitter site of relay broadcast station from 8 miles west of U. S. Highway 66, Oklahoma City, to Portable, area of Oklahoma City, Okla., and change antenna.

WNBH—E. Anthony & Sons, Inc. (assignor), Bristol Broadcasting Co., Inc. (assignee), New Bedford, Mass.; WOCB, Hyannis, Mass.—Granted consent to voluntary assignmnet of licenses of stations WNBH and WOCB from E. Anthony & Sons, Inc., to Bristol Broadcasting Co., Inc., a wholly owned subsidiary; the consideration to be 210 shares of the stock of assignee with a book value of $58,800 to be exchanged for the stations' properties valued at approximately $58,821. (B1-AL-479 and B1-AL-480)

WJPR—John R. Pepper (assignor), Thomas Henry Golding, Sr., et al., d/b as Radio Services Co. (assignee), Greenville, Miss.—Granted consent to voluntary assignment of license to station WJPR from John R. Pepper to Thomas Henry Golding, Sr., Thomas Henry Golding, Jr., and Frank Wilson Baldwin, and Emmet Holmes McMurray, Jr., a partnership, d/b as Radio Services Co., for a consideration of $75,000. (B3-AL-475)

KGKB—East Texas Broadcasting Co. (assignor), James G. Ulmer (assignee), Tyler, Texas.—Granted consent to voluntary assignment of license of station KGKB from East Texas Broadcasting Company to James G. Ulmer, by the purchase of 3.6 per cent of outstanding capital stock from Minnie B. Ulmer (wife) and James G. Ulmer, Jr. (son) for $900. (James G. Ulmer, Sr., owned 96.4 per cent.) (B3-AL-484)

American Broadcasting Co., Inc., New York, N. Y.—Granted extension of permit under Section 325(b) of the Communications Act to transmit programs to stations CFCF and CBL and other Canadian stations of the Canadian Broadcasting Corp. (B1-FP-137)

WJJD, Inc., Chicago, Ill.—Granted construction permit for new developmental broadcast station to be located in Chicago, Ill., for the purpose of conducting a program of research in the various phases and possibilities of FM broadcast operation with multiplex operation; frequencies to be assigned by the Commission's Chief Engineer; A0, A4, Special emissions (FM); power 3 KW. (B4-PEX-61)

Miami Valley Broadcasting Corp., Dayton, Ohio.—Granted construction permit for new developmental broadcast station to be located in the area of Dayton, Ohio, for the purpose of research in the problems of FM broadcasting; frequencies to be assigned by Commission's Chief Engineer; A0, A3, Special emission for frequency modulation; power 1 KW. (B2-PEX-62)

(Continued on next page)

Courier-Journal & Louisville Times Co., Louisville, Ky.—Granted construction permit to increase power of developmental broadcast station W9XEK from 1 to 10 KW, add A4 emission, change frequency from **45500 kc.** to frequencies to be assigned by the Commision's Chief Engineer, and change transmitter. (B2-PEX-66)

The Crosley Corp., Cincinnati, Ohio.—Granted modification of license to change classification of station W8XFM from Temporary Class 2 Experimental High Frequency to Developmental broadcast station. (B2-MLEX-14)

Sherron Metallic Corp., Brooklyn, N. Y.—Granted construction permit for new experimental television broadcast station to be located in Brooklyn, N. Y.; frequencies to be assigned by Commission's Chief Engineer; power, 10 KW visual (peak) and aural. (B1-PVB-142)

WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted construction permit to make changes in antenna system. (B1-PH-473)

LICENSE RENEWALS

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Granted renewal of license for the period ending August 1, 1946.

WBIR—American Broadcasting Corp., Knoxville, Tenn.—Granted renewal of license on a temporary basis for a period of 60 days.

WMRO—Martin R. O'Brien, Aurora, Ill.—Granted renewal of license for the period ending November 1, 1945.

The following stations were granted renewal of licenses for the period ending February 1, 1947:

WLBC, Muncie, Ind.; WEIM, Fitchburg, Mass.; KXRO, Aberdeen, Wash.; KFRE, Fresno, Calif.; WTRC, Elkhart, Ind.

WLDS—Stephenson, Edge & Korsmeyer, Jacksonville, Ill.—Granted renewal of license for the period ending. May 1, 1948.

Licenses for the following stations were further extended upon a temporary basis, pending determination upon application for renewal, for the period ending August 1, 1945:

KASA, Elk City, Okla.; KDAL, Duluth; KELO, Sioux Falls, S. Dak.; KFBC, Cheyenne, Wyo.; KFJB, Marshalltown, Iowa; KFMB, San Diego; KMAC, San Antonio; KOCA, Kilgore, Texas; KSWO, Lawton, Okla.; KTUL, Tulsa, Okla.; KWJB, Globe, Ariz.; KWOS, Jefferson City, Mo.; KWRC, Pendleton, Ore.; KXOX, Sweetwater, Texas; KPFA, Helena, Mont.; WCBT, Roanoke Rapids, N. C.; WCLO, Janesville, Wisc.; WFOY, St. Augustine, Fla.; WGRM, Greenwood, Miss.; WIBG, Philadelphia, Pa.; WINK, Fort Meyers, Fla.; WINN, Louisville, Ky.; WJBC, Bloomington, Ill.; WJBY, Gadsden, Ala.; WJMC, Rice Lake, Wisc.; WJTN, Jamestown, N. Y.; WLAG, LaGrange, Ga.; WNEW and auxiliary, New York City; WOLS, Florence, S. C.; WOV and auxiliary, New York City; WPAT, Paterson, N. J.; WPRA, Mayaguez, P. R.; WROX, Clarksdale, Miss.; WSAY, Rochester, N. Y.; WTOL, Toledo, Ohio; WSBC, Chicago.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon application for renewals, for the period ending August 1, 1945:

KAND, Corsicana, Texas; KGFW, Kearney, Neb.; KHMO, Hannibal, Mo.; KHUB, Watsonville, Calif.; KOCY, Oklahoma City; KPDN, Pampa, Texas; KROC, Rochester, Minn.; KVOL, Lafayette, La.; KWFC, Hot Springs, Ark.; WALL, Middletown, N. Y.; WAIR, Winston-Salem, N. C.; WAML, Laurel, Miss.; WBRW, Welch, W. Va.; WCBI, Columbus, Miss.; WDAK, Columbus, Ga.; WEBR and auxiliary, Buffalo, N. Y.; WFBG, Altoona; WEXL, Royal Oak, Mich.; WGAA, Cedartown, Ga.; WGAU, Athens, Ga.; WHAT, Philadelphia; WJPF, Herrin, Ill.; WJPR, Greenville, Miss.; WKEY, Covington, Va.; WLAK, Lakeland, Fla.; WMBO, Auburn, N. Y.; WLBJ, Bowling Green, Ky.; WMFF, Plattsburg, N. Y.; WNBH, New Bedford, Mass.; WSAJ, Grove City, Pa.; WSTV, Steubenville, Ohio; WTEL, Philadelphia; WTAL, Tallahassee, Fla.; WWPG, Palm Beach, Fla.; KBND, Bend. Ore.; KOME, Tulsa, Okla.; KRJF, Miles City, Mont.; KROS, Clinton, Iowa; KVSF, Santa Fe, N. M.; KWOC, Poplar Bluff, Mo.: WCLS, Joliet, Ill.; WFIG, Sumter, S. C.; WGH, Newport News; WLAV, Grand Rapids, Mich.; KCKN, Kansas City, Kans.; KFYO, Lubbock, Texas; KGEZ, Kalispell, Mont.; KMYR, Denver, Colo.; KRMD, Shreveport, La.; KSUB, Cedar City, Utah; KUIN; Grants Pass, Ore.; KVIC, Victoria, Texas; KVOX, Moorhead, Minn.; KWLM, Willmar, Minn.; WBRE, Wilkes-Barre, Pa.; WBRK, Pittsfield, Mass.; WCMI, Ashland, Ky.; WDMJ, Marquette, Mich.; WEMP, Milwaukee, Wisc; WFHR, Wisconsin Rapids, Wisc.; WGTM, Wilson, N. C.; WINX and syn. amplifier, Washington, D. C.; WIZE, Springfield, Ohio; WLNH, Laconia, N. H.; WRAW, Reading, Pa.; WSAV, Savannah, Ga.; WSOY, Decatur, Ill.

Licenses for the following High Frequency Broadcast Stations were extended upon a temporary basis only, pending determination upon applications for renewal of licenses, for the period ending August 1, 1945, subject to changes in frequency assignments which may result from proceedings in Docket No. 6651:

WABC-FM, New York; WBBM-FM, Chicago; WGFM, Schenectady; WDLM, Chicago; WPEN-FM, Philadelphia; WCAU-FM, Philadelphia; WBZA-FM, Springfield, Mass.; WBZ-FM, Boston; KDKA-FM, Pittsburgh, Pa.

W2XWE—WOKO, Inc., Albany, N. Y.—License for facsimile broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending July 1, 1945.

WMWA—WOKO, Inc., Inc., area of Albany, N. Y.—License for relay broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending July 1, 1945.

MISCELLANEOUS

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Granted joint petition for continuance of hearing on applications for renewal of licenses now scheduled for May 18, and continued same to June 18, 1945.

KGA—Louis Wasmer, Inc., Spokane, Wash.—Granted joint petition for continuance of hearing on applications for renewal of licenses now scheduled for May 18, and continued same to June 18, 1945.

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Granted motion for continuance of hearing now scheduled for May 16 on applications for renewal of licenses, and continued same to July 16, 1945.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted motion for continuance of hearing now scheduled for May 16 on applications for renewal of licenses, and continued same to July 16, 1945.

Midwest Broadcasting Co., Milwaukee, Wisc.—Granted petition for leave to intervene and enlarge the issue in re the application of WREN, Topeka, Kans., for construction permit to increase night power, move transmitter, etc.

Murray Mester and Meyer Mester—Granted motion requesting postponement of the oral argument now scheduled for May 23 on the Commission's proposed findings of fact and conclusions of March 27 in re consent to transfer control of station WOV from Arde Bulova and Harry D. Henshel to Murray Mester and Meyer Mester, and postponed said argument to June 13, 1945.

David A. Brown and Herbert W. Brown, copartners, d/b as Central Valley Radio, Lodi, Calif.—Granted motion for leave to amend application so as to change the frequency specified in application for new station from **1600** to **1570 kc.**, with 250 watts power, daytime only, and removed application, as amended, from hearing docket. (B5-P-3693; Docket 6726)

H. Ross Perkins and J. Eric Williams, d/b as New Haven Broadcasters, New Haven, Conn.—Granted motion for dismissal without prejudice of application for construction permit for new station to operate on **1170 kc.**, 1 KW power, daytime only. (B1-P-3216; Docket 6355)

WLEU—WLEU Broadcasting Co., Erie, Pa.—Adopted decision and order denying petition for rehearing directed against the order of the Commission dated April 10, 1945, granting the petition of WERC, Erie, Pa., for reconsideration and grant of its application for construction permit to change frequency to **1230 kc.**, license to cover same, and authority to determine operating power by direct measurement.

WOKO—WOKO, Inc., Albany, N. Y.—Adopted order extending special temporary authorization for continued operation of

(Continued on next page)

station WOKO until 3 a. m., Friday, August 31; further extensions will be granted from time to time upon application by WOKO, Inc., and a showing that it is prosecuting its appeal with due diligence. (Docket 6486)

The Philco Radio and Television Corporation was granted licenses to cover 8 construction permits which authorized new experimental television relay broadcast stations, to operate upon an experimental basis only, subject to changes in frequency assignments which may result from proceedings in Docket 6651, and upon the express condition that they are subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises. Nothing herein shall be construed as a finding by the Commission that the operation of these stations upon the frequencies authorized is or will be in the public interest beyond the express terms hereof; portable-mobile, area of Central Md., N. E. Md., S. E. Penna. and District of Columbia; power 40 watts aural, 40 watts visual; frequencies 204,000-216,000 and 230,000-242,000 kcs.

The following applications for FM broadcast stations were placed in the pending file in accordance with the Commission's policy of February 23, 1943:

Geo. A. Mayoral, et al., New Orleans; James E. Doss, Jr., Tuscaloosa, Ala.; Dunkirk Printing Co., Dunkirk, N. Y.; San Pedro Printing & Publishing Co., San Pedro, Calif.; Southern California Associated Newspapers, Alhambra, Calif.; Southern California Associated Newspapers, Glendale, Calif.; Recorder Publishing Corp., Greenfield, Mass.; A. Frank Katzentine, Miami Beach, Fla.

The amended applications for FM broadcast stations were retained in the pending file:

Atlantic Broadcasting Co., Inc., Newark, N. J.; Durham Radio Corp., Durham, N. C.; Oshkosh Broadcasting Co., Oshkosh, Wisc.

WMC—Memphis Publishing Co., Memphis, Tenn.—The Commission, on its own motion, ordered continuance of the hearing on application for renewal of license of WMC, from May 21 to June 21, 1945.

APPLICATIONS FILED AT FCC

620 Kilocycles

WIBZ—Maine Broadcasting Co., Inc., Bangor, Maine.—Modification of license to change from employing directional antenna day and night to employing directional antenna for night use only.

1230 Kilocycles

NEW—O. E. Richardson, R. W. Widdel & S. C. Strasburg, d/b as "Voice of Marion", Marion, Ind.—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts and unlimited hours of operation. Amended: re change in transmitter site.

1270 Kilocycles

KFJZ—Tarrant Broadcasting Co., Fort Worth, Texas.—Transfer of control of license corporation from Ruth G. Roosevelt Eidson to Texas State Network, Inc.—99%.

1290 Kilocycles

WKNE—WKNE Corporation, Keene, N. H.—Acquisition of control of licensee corporation by M. S. Wilder through purchase of 190 shares new common stock—38%.

1400 Kilocycles

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—Acquisition of control of licensee corporation by William R. Taft and Archie G. Taft through transfer of 35 shares common stock from Lee E. Mudgett to William R. Taft.

WCNC—Albemarle Broadcasting Co., Norfolk, Va.—Construction permit to move transmitter and studio from Elizabeth City, N. C., to Norfolk, Va. Amended: to change proposed location of transmitter.

1450 Kilocycles

KABC—Alamo Broadcasting Co., Inc., San Antonio, Texas.—Transfer of control of licensee corporation from Charles F. Roeser, S. W. Richardson, Ruth G. Roosevelt Eidson and Elliott Roosevelt to Texas State Network, Inc.—69.9%.

NEW—Indiana Broadcast, Inc., Indiana, Penna.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. AMENDED: re changes in antenna.

1490 Kilocycles

KNOW—Frontier Broadcasting Co., Inc., Austin, Texas, and Waco, Texas.—Transfer of control of licensee corporation from S. W. Richardson and Charles F. Roeser to Texas State Network, Inc.—50%.

FM APPLICATIONS

NEW—Elias I. Godofsky, Brooklyn, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated with a coverage of about 8,500 square miles.

NEW—The Fort Hamilton Broadcasting Company, Hamilton, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **49500 kc.**, with coverage of 1,810 square miles.

NEW—Unity Corporation, Inc., Toledo, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **46700 kc.**, with coverage of 10,224 square miles.

NEW—Orlando Daily Newspapers, Inc., Orlando, Fla.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45700 kc.**, with coverage of 8,000 square miles.

NEW—The Akron Radio Corp., Akron, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **48100 kc.**, with coverage of 10,069 square miles.

TELEVISION APPLICATIONS

NEW—Palmer K. and Lois C. Leberman, New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #10 **(186-192 megacycles)**, with ESR of 3960 for visual and 2820 for aural.

NEW—Philco Radio and Television Corp., Springfield Twp., Pa.—Construction permit for a new experimental television broadcast station to be operated on **524000-544000 kc.**, power of 1 KW and special emission.

MISCELLANEOUS APPLICATIONS

W10XP—Philco Radio and Television Corp., area of Washington, D. C., Philadelphia, Pa., and New York, N. Y.—License to cover construction permit (B1-PVB-146) which authorized increase in power, change in emission and area.

W10XPA—Philco Radio and Television Corp., area of Washington, D. C., Philadelphia, Pa., and New York, N. Y.—License to cover construction permit (B1-PVB-144) which authorized increase in power, change in emission and area.

W10XPR—Philco Radio and Television Corp., area of Washington, D. C., Philadelphia, Pa., and New York, N. Y.—License to cover construction permit (B1-PVB-102 as modified) for a new experimental television relay broadcast station.

W10XPC—Philco Radio and Television Corp., area of Washington, D. C., Philadelphia, Pa., and New York, N. Y.—License to cover construction permit (B1-PVB-145) which authorized increase in power, change in emission and area.

WPIK—Potomac Broadcasting Corp., Alexandria, Va.—Modification of construction permit (B2-P-3615 which authorized construction of new standard broadcast station) for approval of antenna and transmitter site. Amended re changes in transmitting equipment, antenna and transmitter site.

NEW—William Henry Alford, Winston-Salem, N. C.—Construction permit for a new developmental broadcast station to be operated on **48100 kc.**, with power of 160.7 watts and A3 and FM emission. AMENDED: to change emission from A3 and FM to A0 and A1.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

A. Davis & Sons, Inc., 225 West 37th Street, New York, and its officers, Milton E. Davis and Charles S. Davis, are charged with violation of the Federal Trade Commission and Wool Products Labeling Acts in connection with the sale of women's coats, suits and other wearing apparel. (5322)

Kay Preparations, Inc., 522 Fifth Avenue, New York, and its president, John Stillman, are charged in a complaint with disseminating false advertisements concerning their "Kay" line of cosmetics. (5318)

New Power Publications, and Eva Schlossberg, both of 441 Lexington Avenue, New York, are charged in a complaint with misrepresentation in the advertising and sale of books entitled "Lightning Ju-Jitsu" and "Adventures of the Great Crime Busters." (5317)

Gerald A. Rice, 418 Spokane Hotel, Spokane, Washington, is charged in a complaint with misrepresenting that the correspondence school business he operates under the name of Office of Civil Preparation is connected with the United States Government. (5321)

Standard Cloak & Suit Co.—A complaint alleging violation of the Wool Products Labeling Act and the Federal Trade Commission Act has been issued against Standard Cloak and Suit Co., 2013 Fourth Ave., Seattle, engaged in the manufacture and sale of women's coats and suits composed in whole or in part of wool, reprocessed wool or reused wool. (5315)

Wander Co.—A complaint has been issued charging the Wander Company, 180 North Michigan Avenue, Chicago, with disseminating false advertisements concerning the therapeutic properties of Ovaltine, a food preparation designed to be consumed as a beverage. The respondent company has a factory in Villa Park, Illinois. (5316)

William Witol & Company—A complaint alleging the dissemination of false advertisements of cosmetics has been issued against Witol, Inc., National Products Outlet, Inc., and William Witol, all of 2 Brookville Boulevard and Oliver Avenue, Valley Stream, Long Island, New York. Witol, who trades as William Witol & Company, owns and controls the two respondent corporations and is the principal officer of each. (5319)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

American Beauty Products Company, 2226 North Racine Avenue, Chicago, stipulated that it will discontinue the dissemination of false advertisements concerning the therapeutic properties of certain vitamin preparations it sells in interstate commerce. (4061)

Geltman Sponging Company, 2320 Superior Avenue, Cleveland, Ohio, engaged in processing fabrics for manufacturing and merchandising concerns, entered into a stipulation to discontinue representing or furnishing others with the means of representing that the fabrics it treats with a chemical compound designated Durotize are rainproof or have been rendered effectively waterproof. (4059)

Juel Company, 3716 North Clark Street, Chicago, stipulated that he will cease and desist from publishing any advertisement which fails to reveal that the preparation he sells under the names "(New Color) Hair Dye," "Juel Hair Dye" or "Jet Black Hair Dye" is a hair dye and that all hair dyes should be used with caution; that the preparation should be kept out of the eyes, mouth, ears and skin eruptions; that if there is a skin eruption on the scalp the preparation should not be used or reused; that it is for external use only and that it should not be used on the eyebrows or eyelashes; provided, however, that such advertisements need contain only the statement, "CAUTION: Use only as directed," if the directions for use on the label or in the labeling contain a warning to the same effect. (03286)

Kaufman Fur Company, Inc., 302 South Market Street, Chicago, agrees to stop using the term "civet cat" or the word "civet" or terms of like meaning to designate or describe furs or fur garments made of the peltries of the little spotted skunk or of any peltries other than civet peltries. (4062)

Kedmont Manufacturing & Waterproofing Company, 53 West Jackson Boulevard, Chicago, entered into a stipulation to discontinue certain representations in connection with the sale of materials used in the treatment of concrete and masonry surfaces. The copartners agree to cease and desist from representing that Preservatex insures floors permanently, that Durotex permanently increases the tensile and compressive strength of concrete, that Terrazzotex provides a permanent floor treatment; and from using any other representation tending to convey the belief that any such product is permanent or everlasting or affords permanent or everlasting protection to walls, floors or structures. (4063)

Sidney Blumenthal & Company, Inc., 1385 Broadway, New York, distributor of textile fabrics, stipulated that it will cease and desist from advertising, labeling, invoicing or selling products composed in whole or in part of rayon without clearly disclosing such fact by use of the word "rayon"; and when a product is composed in part of rayon and in part of other fibers, or material, from failing to disclose in immediate connection with the word "rayon," and in equally conspicuous type, each constituent fiber of the product in the order of its predominance by weight, beginning with the largest single constituent. (4057)

Superior Soap Corporation, 121 Nostrand Avenue, Brooklyn, stipulated that it will cease representing in any manner that a soap which does not contain olive oil to the exclusion of all other oils is an olive oil soap. (4060)

Thomas E. Sullivan, trading as Dr. Sullivan's Springfield Chick Hatchery, Springfield, Minnesota, stipulated that, in connection with the sale and distribution of chicks, he will discontinue using in his advertising, trade literature or otherwise, terms or expressions such as "R.O.P. Sired," "R.O.P. Quality Bred Chicks," "This Grade of R.O.P. White Leghorns," or terminology of like import that conveys the impression that his chicks are R.O.P. (Record Of Performance) or that they are sired by U.S.R.O.P. males. (4064)

Turbanway, Inc.—A stipulation to cease and desist from certain representations in connection with the sale of Miracurl Expansion (Forming) Lotion and Miracurl Contraction (Fixing) Solution has been entered into by Turbanway, Inc., 270 Madison Avenue, New York. (4058)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 22, June 1, 1945

"Telling the World" Report No. 2

Local Originations in Support 7th War Loan

Period—May 13-20

(Excluding Network and National Spot)

Sing for the 7th	5-min ET	3,183
Treasury Salutes	15-min ET	3,069
Music for Millions	15-min ET	2,534
Treasury Song	5-min ET	52
Buy Buy Bonds	3-min ET	269
Buy Buy Bonds	4-min ET	52
Spots	Live & ET	65,106
	2-min	1,174
	3-min	175
Programs	5-min	731
	6-min	41
	10-min	371
	15-min	1,123
	20-min	21
	25-min	10
	30-min	425
	45-min	46
	55-min	2
	1 hour	57
	1¼ hours	27
	1½ hours	10
	2 hours	2
	2½ hours	2
	3 hours	2
	7 hours	1

No. 4 Report is due June 4

No. 5 Report is due June 11

Please send Nos. 1, 2 and 3 if you haven't done so

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

CENSORSHIP RELAXED

Office of Censorship has sent to all broadcasters first amendment to May 15th revised code. Notice of this revision is contained in a release signed by Byron Price, Director of the Office of Censorship, and reads as follows:

"Effective at once the second sentence of the 'Ships' section of the Press and Radio Code (Edition of May 15, 1945) is amended to read as follows:

" 'Identity, location, cargoes and movements of merchant vessels within or proceeding to or from the Pacific-Asiatic area.'

"This clears for publication and broadcast information of every type regarding merchant shipping in the Atlantic, its adjacent seas, and the western coastal waters of South America, except for vessels bound to or from the Japanese war zone.

"The identity and movements of war ships including transports remain restricted, but there is no objection to publishing or broadcasting the identity and arrival of transports from Europe in Atlantic or Gulf ports after they have reached quarantine.

"Since it is unlikely that other changes in the Code will be made in the near future, I suggest that to save printing expense the foregoing amendment be written into your copies."

Announcement also comes from Supreme Headquarters, Allied Expeditionary Force, Paris, that censorship in the European theater of operations has been discontinued "except for major troop movements and details connected therewith and such other matters of high military importance as may require reference to the supreme commander."

Lifting of the European restrictions came as a surprise to correspondents, who had been told that censorship division of SHAEF would maintain relaxed control over all news sent from the European theater for a longer period of time.

Explanation of just what matters would be considered of sufficient importance to be referred to General Eisenhower for clearance was not immediately forthcoming.

FCC STATEMENT OF POLICY INTERPRETED

The Federal Communications Commission today released copies of two letters which interpret the Statement of Policy issued on January 16, 1945, with respect to new construction of standard broadcast stations, where an application is made for the frequency assigned to an existing station or a frequency made available by the Commission's refusal to renew a license.

The first letter addressed to Mr. Andrew G. Haley, Earle Building, Washington 4, D. C., and signed by the direction of the Commission, T. J. Slowie, Secretary, follows:

"This will reply to your letter of May 12, 1945 requesting information regarding the procedure which the Commission proposes to follow in the consideration of applications for the operating assignment made available by the Commission's refusal to renew the license of Station WOKO, Albany, N. Y.

"The Statement of Policy issued on January 16, 1945, restricting the construction of new standard broadcast facilities does not preclude the consideration on the merits of an application for a frequency made available by the refusal of the Commission to renew the license of an existing station. Such an application will not be placed in the pending file but will be given current consideration on all aspects of the proposal.

"You are also advised that in such a case the policy on new construction does not require specification as to availability of equipment."

The second letter, also signed by direction of the Commission, T. J. Slowie, Secretary, and addressed to Missionary Society of St. Paul the Apostle, 415 West 59th Street, New York 19, N. Y., is reprinted below:

"An examination has been made of the application which you have submitted for a standard broadcast station to operate on 1130 kc with 10 kw unlimited time in New York City. It is noted that this application requests the operating assignment now used by the Greater New York Broadcasting Corporation, licensee of Station WNEW.

"Since you have requested the facilities of an existing station, a determination of your application will necessarily involve a comparison of the service which you propose to render with that now being furnished by that licensee. An essential part of this comparison will necessarily be engineering considerations, such as the area and population to be served, the interference that may result to stations on the same or adjacent channels, and the general conformance of your proposal to the Standards of Good Engineering Practice and the engineering phases of the Commission's Rules and Regulations.

"A review of your application reveals that no engineering data have been furnished which would enable the Commission to make the foregoing comparative examination. No specification has been made of the transmitter site or the directional antenna pattern, if any to be employed, and as a result it will not be possible to compute the proposed coverage, the interference effects, 'blanketing' areas and many similar matters. Since these omissions are of material consequence your application cannot be regarded as complete within the meaning of Section 1.72 of the Rules and Regulations and therefore cannot be accepted for filing at this time.

"With respect to the question as to whether or not the applicant must have necessary materials on hand you are advised that the policy announced on January 16, 1945, does not require specification as to availability of equipment where the request is for the frequency of an existing station. Such an application would not be placed in the pending file but would be given current consideration on all aspects of the proposal.

"Due to the omissions previously mentioned, the application is being returned herewith as incomplete."

RADIOS PREFERRED TO TELEPHONES

Minnesota Poll of Public Opinion, conducted by the *Minneapolis Sunday Tribune*, indicates that 63% of the people polled prefer radios over telephones in the home, with a corresponding 27% showing opposite preference, according to results published in that paper on May 20. Those polled were asked the question "If you had to do without either a telephone or radio in your home, which one would you rather give up?"

HEAR QUINCY GLOBAL SHOW IN FAR EAST

The Quincy, Illinois, "Let's Go to Town" program, was heard in the Philippines at 8:30 p. m., Friday, May 18, according to word received by C. Arthur Fifer, task force commander, and program manager, WTAD. Notification was made by an Army Lieutenant who resides in the Quincy area.

KTSW ANNUAL COLLEGE AWARD GOES TO GIRL

Emporia, Kan.—KTSW sent another radio-minded college student summer institute way with all expenses paid when Maxine Burke, a junior at Emporia State Teachers College, received the station's annual award for "demonstrated interest and ability in the field of radio and definite promise of contribution to the industry."

Miss Burke has been active this past year in the Radio Office at Emporia State which produced a series of daily educational programs over KTSW, beamed to the rural school classrooms of that area.

Armed with summer radio institute experience, Miss Burke will become a key figure in next year's expanded program which, with the supervision of the Kansas State Department of Education, will be heard over the Kansas State Network to a potential of six thousand, five hundred Kansas rural schools.

RYAN THANKS NATION'S PAPERS

(As Released by NAB News Bureau, May 27)

Reaffirming the determination of broadcasters to remain united with a free press in preserving "uncensored and unimpeded the channels of communication which are the heritage of a free people" J. Harold Ryan, president of the National Association of Broadcasters today sent the following message to the newspapers of America:

"We of the broadcasting industry wish to express our appreciation to the newspapers of America for the manner in which they recognized our performance in the public interest on VE Day.

"Truly our facilities and our ability as broadcasters were taxed to the utmost on this momentous occasion. Three events of the past year have called upon our every resource in the proper discharge of our public trust. These three events were D Day, the loss of Franklin Delano Roosevelt and VE Day.

"The acknowledgments of our friends and contemporaries, the newspapers of America, which resulted from the performance of our duty and privilege as broadcasters during those fateful hours, will live long in our memory.

"A free radio in its twenty-fifth year desires to renew with a free press the resolution to preserve uncensored and unimpeded the channels of communication which are the heritage of a free people."

RADIO
1920 - 1945
XXV

GOOD REPORTS ON KIWANIS WEEK DELUGE NAB

The deluge of reports on Kiwanis Radio Week (May 13-19) observances that has been pouring in to NAB headquarters from towns and cities the nation over gives ample and mounting evidence that this was one of the finest and most complimentary events ever staged for the purpose of paying tribute to radio's place in American life as a great social force.

Many scripts and detailed reports of well-staged events continue to come in with each new delivery of the mail.

NAB is especially anxious to have a full report from all stations so that we may be informed of how Kiwanis Radio Week was observed in each community. If you have not already done so, please let us know if your program was on the air or if transcriptions were made at the meeting and later broadcast. If the program was on the air a copy of your script will be greatly appreciated. In any event please send us a letter describing the success of your local Kiwanis Radio Week.

You will find it desirable to turn this matter over to your publicity or promotion department to send on to NAB since this material will be used in industry-wide Twenty-fifth Anniversary publicity some time during the current year.

REINSCH TO FRISCO WITH PRESIDENT TRUMAN

Announcement has been made at the White House that J. Leonard Reinsch, managing director of Cox stations and member of NAB board of directors and legislative committee, will journey to San Francisco with President Truman on the Chief Executive's soon expected visit to the UNCIO conference now in progress in that city.

FARM SAFETY PROGRAM AWARDS

In connection with National Farm Safety Week, July 22-28, the National Safety Council is presenting program awards to stations and networks for Distinguished Service to Safety. These awards will go to a national network, a regional network and to a station under 50,000 watts and to a station of 50,000 watts or more.

Judges for the awards will be Wallace Kadderly, Chief of the Radio Section, United States Department of Agriculture; John J. Lacey, Director of Information, American Farm Bureau Federation; and Maynard H. Coe, Director of the Farm Division of the National Safety Council.

Full information may be had by writing to the National Safety Council, 20 North Wacker Drive, Chicago 6, Ill.

SHEEP JOIN STAFF

Dayton, Ohio—Due to manpower shortage, WHIO has purchased 50 sheep to serve as lawnmowers for the grounds at the transmitter.

Stations wishing to emulate are cautioned to plant reasonable facsimiles of wolves in valued shrubbery.

SOLDIER TAKES OVER KTSM FOR DAY

El Paso, Tex.—Marking its third anniversary, the Antiaircraft Training Center at Fort Bliss celebrated the festive occasion by filling various key posts in El Paso with military personnel. The Mayor's chair was filled by a man in uniform as were the editor's positions of the newspapers and the managers' chairs of the local radio stations. Karl O. Wyler, manager, KTSM, had as his "stand-in" for the day, Sgt. Stan Stankowski.

VETERANS OVER 40 ELIGIBLE FOR DISCHARGE

Station managers may be interested in knowing that former employees who are now in the Army and who have reached their 40th year may apply for a discharge from the Army.

Such enlisted men must make application in writing to their immediate commanding officers. This lowers the previous age limit which made eligible for discharge men of 42 years and over.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings were scheduled before the Commission during the week beginning Monday, June 4.

There was no regular Commission meeting this week because of the absence from Washington of the majority of the Commission.

Federal Communications Commission Action

APPLICATIONS GRANTED

WNBH—E. Anthony & Sons, Inc., New Bedford, Mass.—Granted authority to determine operating power by direct measurement of antenna power.

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Granted construction permit to make changes in transmitting equipment.

Philco Radio & Television Corp., Area of Washington, D. C., Philadelphia, Pa., and New York. Portable-Mobile.—Granted licenses to cover three construction permits for increase in power and changes in emissions and area of three experimental television relay broadcast stations; conditions; and subject to changes in frequency assignments which may result from proceedings in Docket 6651. (B1-LVB-57, 58, 60)

Philco Radio & Television Corp., Area of Washington, D. C., Philadelphia, Pa., and New York. Portable-Mobile.—Granted license to cover construction permit which authorized a new experimental television relay broadcast station; conditions; and subject to changes in frequency assignments which may result from proceedings in Docket 6651. (B1-LVB-59)

Potomac Broadcasting Corp., Alexandria, Va.—Granted request for extension of time to June 12, 1945, within which to comply with the procedural conditions in conditional grant for a new station.

MISCELLANEOUS

WIBU—William C. Forrest, Poynette, Wisc.—Adopted order dismissing petition for rehearing directed against the action of the Commission on January 16, 1945, granting without hearing the application of Francis M. Kadow (WOMT), Manitowoc, Wisc., for construction permit to increase power to 250 watts on frequency **1240 kc.**, and make changes in transmitter.

The following applications for new high frequency FM broadcast stations were placed in the pending file in accordance with Commission's policy of February 23, 1943:

Laurence W. Harry, Fostoria, Ohio; The Akron Radio Corp., Akron, Ohio; Orlando Daily Newspapers, Inc., Orlando, Fla.; Joe L. Smith, Jr., Beckley, W. Va.; Piedmont Broadcasting Corp., Danville, Va.

The Penna. State College, State College, Penna.—Placed in the pending file application for new noncommercial educational broadcast station.

Licenses for the following relay broadcast stations, heretofore extended on a temporary basis, were further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending August 1, 1945:

KFAA, Area of Dallas; KNED, Area of Fort Worth; WADA, Area of Charleston, W. Va.; WAUT, Evansville, Ind.; KIEL, Area of Seattle; KFBL, Area of Cheyenne, Wyo.; KFBM, Area of Cheyenne; WQER, Area of Atlanta, Ga.; WHMK, Hagerstown, Md.; WJEK, Area of Hagerstown, Md.; KAXY, KEJR, Area of Fort Worth; WABG, Area of Memphis, Tenn.; WAOE, Area of Aurora, Ill.; WAIN, Area of Peoria, Ill.; WEKH, Area of Peoria, Ill.; KBTA, Area of Duluth, Minn.; KBTB, Duluth; WAXL, Area of Kinston, N. C.; WAIJ, WAIY, Area of Utica, N. Y.; WTNK, Area of Trenton, N. J.

WATA—Ashland Broadcasting Co., Area of Ashland, Ky.—Extended license for relay broadcast station upon a temporary basis only, for the period ending August 1, 1945, pending determination upon application for renewal.

WJWA—Birney Imes, Jr., Area of Columbus, Miss.—Extended license for relay broadcast station upon a temporary basis only, for the period ending August 1, 1945, pending determination upon application for renewal.

APPLICATIONS FILED AT FCC

1060 Kilocycles

KYW—Westinghouse Radio Stations, Inc., Philadelphia, Pa.—Construction permit to install new directional antenna system. Amended re corporate structure.

1110 Kilocycles

WBT—Columbia Broadcasting System, Inc., Charlotte, N. Car.—Voluntary assignment of license to Southeastern Broadcasting Company.

1150 Kilocycles

KSWO—Byrne Ross and R. H. Drewry, d/b as KSWO Broadcasting Co., Lawton, Okla.—Assignment of license to Oklahoma Quality Broadcasting Co., a co-partnership composed of R. H. Drewry, J. R. Montgomery, Ted R. Warkentin and Robert P. Scott.

1280 Kilocycles

KIT—Carl E. Haymond, Yakima, Wash.—License to cover construction permit (B5-P-3781) which authorized changes in transmitting equipment.

1400 Kilocycles

WHBC—The Ohio Broadcasting Co., Canton, Ohio—License to use formerly licensed RCA 250-D transmitter as an auxiliary with power of 250 watts.

1490 Kilocycles

KXOA—Lincoln Dellar, Sacramento, Calif.—License to cover construction permit (B5-P-3663) for a new standard broadcast station.

KXOA—Lincoln Dellar, Sacramento, Calif.—Authority to determine operating power by direct measurement of antenna power.

1600 Kilocycles

NEW—Herbert W. Brown and David A. Brown, d/b as Central Valley Radio, Lodi, Calif.—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 250 watts and unlimited hours of operation. Amended to request frequency of **1570 kc.** and daytime hours of operation.

NEW—Charlotte Broadcasting Co., Charlotte, N. C.—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, with power of 1 KW, unlimited hours of operation, employing directional antenna day and night. Amended: re stockholders.

FM APPLICATION

NEW—KXL Broadcasters, Portland, Ore.—Construction permit for a new high frequency (FM) broadcast station to be operated on **44700 kc.**, with coverage of 16,300 square miles.

TELEVISION APPLICATIONS

NEW—Westinghouse Radio Stations, Inc., Boston, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel #5 **(84000-90000 kc.)**, ESR 1610. Amended re corporate structure.

NEW—Westinghouse Radio Stations, Inc., Philadelphia, Penna.—Construction permit for a new commercial television broadcast station to be operated on Channel #7 **(102000-108000 kc.)**, ESR 1420. Amended re corporate structure.

NEW—Westinghouse Radio Stations, Inc., Pittsburgh, Penna.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 **(50000-56000 kc.)**, ESR 2260. Amended re corporate structure.

NEW—North Jersey Broadcasting Co., Inc., Clifton, N. J.—Construction permit for a new experimental television broadcasting station to be operated on **514000-530000, 900000-920000, 1302000-1325000 kc.**, power of 5 KW.

MISCELLANEOUS APPLICATIONS

W3XMB—Maryland Broadcasting Co., Baltimore, Md.—Modification of construction permit (B1-PEX-46, which authorized a new developmental broadcast station) for extension of completion date from 6-30-45 to 8-22-45.

NEW—Raytheon Manufacturing Co., New York, N. Y.—Construction permit for a new developmental broadcast station to be operated on **88000** to **102000 kc.**, power of 10 KW and special emission.

NEW—Evangelistic Mission, Pontiac, Mich.—Extension of authority to transmit programs from Pontiac, Mich., to Canadian Station CKLW, Windsor, Ontario, Canada.

NEW—Jackson City Board of Education, Jackson, Ohio—Construction permit for a new non-commercial educational broadcast station to be operated on frequency according to the overall Ohio State plan, with power of 250 watts, and special emission for FM.

NEW—Scripps-Howard Radio, Inc., area of Cincinnati, Ohio—Construction permit for a new relay broadcast station to be operated on **31220, 35620, 37020** and **39260 kc.**, power of 10 watts and A3 emission.

WCBE—Columbia Broadcasting System, Inc., area of Charlotte, N. C.—Voluntary assignment of license to Southeastern Broadcasting Company.

WEHI—Columbia Broadcasting System, Inc., area of Charlotte, N. C.—Voluntary assignment of license to Southeastern Broadcasting Company.

NEW—KMMJ, Inc., Grand Island, Nebr.—Construction permit for a new relay broadcast station to be operated on **30820, 33740, 35820** and **37980 kc.**, with power of 50 watts and A3 emission.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Eastern Wine Corporation, Bronx Terminal Market Bldg., Bronx, New York, is charged in a complaint with making "tie-in" sales of wine to retailers. (5325)

National Educators Society, Inc., or as National Educators Society (Incorporated), with places of business at 1510 Yecker Avenue, Kansas City, Kansas, and 72 Vernon Terrace, East Orange, N. J., is charged in a complaint with misrepresentation in connection with the sale of a card index system. The index is sold under the name of International Index System and consists of a topical compilation of free publications, including books, maps and other source material suitable for school work and supplied by national and international governmental agencies, educational institutions and commercial firms. (5326)

National Retail Furniture Assn.—A complaint alleging a conspiracy to suppress competition and restrain trade in the interstate sale of furniture has been issued against National Retail Furniture Association, 666 Lake Shore Drive, Chicago, and its officers, directors and member trade associations. (5324)

Practical Nurses' Guild, Inc., Insurance Exchange Bldg., Sioux City, Iowa, and J. R. McLain, who is president of the corporation and directs its policies and activities, are charged in a complaint with misrepresentation in connection with the sale of a correspondence course of instruction in practical nursing. Elsie Hess, a sales representative of the corporation, is also named as a respondent. (5323)

CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

National Progress League, 104 South Michigan Avenue, Chicago, and its officers, Frank J. Mackey, president, and Harold C. Sherman, secretary, have been ordered to discontinue using the name and prestige of the Military Order of the Purple Heart, an organization of war veterans, to promote the sale of history books entitled "Progress of Nations" and "Forward March." Mackey also is president of a corporation known as Disabled American Veterans of the World War Rehabilitation Department, which published the books. (4721)

STIPULATION

During the past week the Commission has announced the following stipulation:

Spiegel, Inc., Chicago, entered into a stipulation to cease and desist from representing that Grayvita Tablets, a vitamin preparation containing calcium pantothenate as its principal ingredient, will prevent or end gray hair or restore natural color to hair.

The company also agrees to stop representing that restoration of the natural color of hair has been effected in 88% or any other definitely stated percentage of those to whom calcium pantothenate was administered in tests. (03287)

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1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 23, June 8, 1945

"Telling the World" Report No. 3

Local Originations in Support 7th War Loan

Period—May 20-26

(Excluding Network and National Spot)

Sing for the 7th	5-min ET	3,780
Treasury Salutes	15-min ET	3,172
Music for Millions	15-min ET	2,977
Treasury Song	5-min ET	52
Buy, Buy Bonds	3-min ET	597
Spots	Live & ET	63,777
	2-min	1,174
	3-min	412
	4-min	62
Programs	5-min	1,236
	7-min	31
	10-min	330
	15-min	1,246
	25-min	14
	30-min	340
	35-min	2
	45-min	28
	50-min	8
	1 hour	45
	1¼ hours	21
	1½ hours	18
	2 hours	14
	2¾ hours	2
	3 hours	14
	5 hours	2
	15¼ hours	1

No. 5 report is due June 11

No. 6 report is due June 18

Please send Nos. 4, 3, 2, 1 if you haven't done so

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

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RAISES CONSTRUCTION LIMIT TO $1,000

The manner in which amendment of Limitation Order L-41 to allow more freedom on small construction jobs will affect the broadcast industry was outlined May 31 by officials of the War Production Board's Radio and Radar Division.

Construction in connection with a broadcast station may now be undertaken without WPB permission where the amount involved is not more than $1,000. Previous maximum was $200. This applies to alterations to an existing building and to the conversion of a building to a new use as well as to the construction of new buildings. The cost of new equipment being installed must be included in the cost of the job.

The kind of installation that must be considered construction under the terms of L-41 is set forth in Interpretation 9 of the order. Under the interpretation, the construction of a new radio station is covered by the order. Also covered is the installation of equipment that requires putting new wiring in a building and the installation of equipment for which a base or foundation must be built.

The installation of any piece of equipment purchased under WPB authorization is exempt from the restrictions of the order. However, it has not been the practice of WPB to issue ratings for the purchase of equipment for new radio stations.

Except for the increase in the amount of construction that can be done without specific authorization, officials said, WPB policies governing authorizations for construction in connection with broadcast stations have not been changed. Authorization for construction of new stations will only be considered for areas not now receiving primary service under Federal Communications Commission standards and when the applicant has made satisfactory showing as to the source of his equipment.

Consideration can still be given applications for construction in connection with existing stations, but only where the construction is necessary to continue the service being provided by the station. Generally speaking, applications cannot be considered where it is desired to provide additional facilities.

Other Amendments

Amendments to General Limitation Order L-265, which governs electronic equipment, were also announced by the War Production Board.

In general, the amendments are in line with WPB's established policy of removing controls when they are no longer needed.

Chief among these is the elimination from the coverage of the order of certain items that do not make use of electronic components and which are not produced generally on facilities now being used for the production of electronic equipment. Among these are radio antennas, blank recording discs and spring-motor acoustic phonographs.

COURT BLASTS ATTEMPTED CENSORSHIP

Expressing the hope that this is the last time that a Government agency will attempt to compel the acceptance of its literary or moral standards relating to material admittedly not obscene, the United States Court of Appeals, District of Columbia, handed down its decision in the "Esquire" case.

The Postmaster General had revoked the second class mailing privileges of "Esquire" because it was in the "border-land zone"—not on the ground of obscenity.

"The theory of the ruling depriving Esquire of second-class mailing privileges, while at the same time permitting it to be mailed at higher rates, is stated by the Postmaster General as follows: 'A publication to enjoy these unique mail privileges * * * is bound to do more than refrain from disseminating material which is obscene or bordering on the obscene. It is under a positive duty to contribute to the public good and the public welfare'."

The Court held that

"No doubt such a duty exists. But it does not follow that an administrative official may be delegated the power first to determine what is good for the public to read and then to force compliance with his ideas by putting editors who do not follow them at a competitive disadvantage. It is inconceivable that Congress intended to delegate such power to an administrative official or that the exercise of such power, if delegated, could be held constitutional. Congress established the second class mailing privileges because it believed that periodicals which disseminated public information, literature, art or science deserved to be encouraged on account of their contribution as a class to the public good. But the American way of obtaining that kind of contribution is by giving competitive opportunity to men of different tastes and different ideas, not by compelling conformity to the taste or ideas of any government official."

The Court further asserted:

"But mail privilege is not a special privilege. It is a highway over which all business must travel. The rates charged on this highway must not discriminate between competing businesses of the same kind. If the Interstate Commerce Commission were delegated the power to give lower rates to such manufacturers as in its judgment were contributing to the public good the exercise of that power would be clearly unconstitutional. Such a situation would involve freedom of competitive enterprise. The case before us involves freedom of speech as well.

"Little more need be said to decide this case. Nevertheless, since we hope that this is the last time that a government agency will attempt to compel the acceptance of its literary or moral standards relating to material admittedly not obscene, the voluminous record may serve as a useful reminder of the kind of mental confusion which always accompanies such censorship."

The Court cited the testimony of various witnesses to indicate the mental confusion which resulted from trying to determine what is or is not obscene and what is decent, or indecent and said "Yet it is difficult to make such judgments with a feeling of certainty which one should have when the result of one's decision is to cost a publication $500,000 annually."

The Court further said

"The three examples cited above effectively illustrate the intellectual standards required for the kind of censorship exercised in this case.

(Continued on next page)

"We intend no criticism of counsel for the Post Office. They were faced with an impossible task. They undertook it with sincerity. But their very sincerity makes the record useful as a memorial to commemorate the utter confusion and lack of intelligible standards which can never be escaped when that task is attempted. We believe that the Post Office officials should experience a feeling of relief if they are limited to the more prosaic function of seeing to it that 'Neither snow nor rain nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds.'"

MORE TUBES FOR HOME RADIO SETS

Just short of 6,000,000 tubes for home radio sets were produced during the first quarter of 1945. The April quarter, on the basis of April and May figures, will show a good increase over the previous quarter. Third quarter is expected to register a substantial increase.

FMBI, TBA REQUEST IMMEDIATE ALLOCATIONS

The Television Broadcasters Association and FM Broadcasters, Inc., have filed requests with the Federal Communications Commission for immediate adoption of the FCC alternate allocation proposal number 1.

Alternative allocation proposal number 1 of the FCC would assign the 50-68 megacycles band to FM broadcasters with television beginning at 68 megacycles. The FCC plans for transmission tests during the coming summer for the purpose of securing additional data on high frequency propagation characteristics are going forward. Already there are reports of sporadic E transmission which was prevalent during the summer of 1944.

INFLUENCE OF FM EDUCATIONAL STATIONS

Large scale development of educational broadcasting by school owned stations may take some listeners from commercial stations, was the belief expressed by John W. Studebaker, U. S. Commissioner of Education, at the third annual conference of the Northeastern Radio Council, recently held in Schenectady.

At the same time the Commissioner did not believe educational broadcasting would detract from the importance of public service programs of commercial stations. Dr. Studebaker stated that he considers the commercial broadcaster to be a factor of continuing and increasing importance in the whole scheme of education. And his responsibility will not be diminished by the induction of educational FM stations. As to the number of FM stations, the Commissioner had this to say:

"If plans of 29 different states materialize there will be established between 500 and 800 educational FM stations in this country distributed in such a way that they will be capable of providing a diversified educational broadcast service to at least 85 per cent of our total national population."

Delegates to the conference were guests at dinner of Schenectady's broadcast stations, WGY, WSNY, WGFM and WBCA. One session of the Council was devoted to a consideration of the educational use of television and the meeting was held in the studio of General Electric's television outlet, WRGB.

RAYTHEON EXPERIMENTAL RADIO RELAYS APPROVED

A significant type of experimentation looking toward the development of a broad-band microwave radio relay system was approved when the Federal Communications Commission granted the Raytheon Manufacturing Company construction permits for five experimental radio relay stations to be installed between Boston and New York City. The stations will be located at New York City, Lexington, Mass., Bristol and Tolland, Conn., and Webster, Mass.

The construction permits authorize five new Experimental Class 2 point-to-point radio stations to develop new techniques for the transmission and relaying of high definition and color television programs, high-fidelity FM programs, and telegraph, telephone and facsimile communications. An important phase of the experimental program provides for the development of a system of aeronautical safety communications, aircraft traffic control and an automatic reporting service on the positions of aircraft which would be provided simultaneously with transmission of FM and television programs and other point-to-point communications.

The stations will operate with a maximum power of 100 watts on frequency bands to be assigned by the Commission's Chief Engineer.

The radio relay system proposed by Raytheon is similar to those under construction at Boston and New York by the American Telephone & Telegraph Company and at Washington, D. C., New York City, Schenectady and New Scotland, N. Y., by International Business Machines Corporation and the General Electric Company. Similar experimental grants had been made earlier by the Commission to the Federal Telephone and Radio Corporation for construction of three Experimental Class I radio stations near New York City to develop new radio relay systems and to the Western Union Telegraph Company for a chain of four broad-band ultra- and super-high frequency relay stations between New York City and Camden, N. J.

In authorizing the experimentation by Raytheon between New York and Boston, the Commission points out this does not mean that it has made a determination that it will hereafter authorize the company to use these stations commercially or to engage in the activities of a communication common carrier for hire.

LIKE WHOM GLOBAL SHOW

WHOM is currently receiving "thank you" letters from U. S. soldiers and sailors in all parts of the world for the Jersey City "Let's Go to Town" program, produced under the direction of Task Force Commander Craig Lawrence.

A number of letters also were received by the Jersey City Board of Education. The director of physical training in the Jersey City schools participated in the program.

Rochester Produces 3rd Global Show

Armed Forces Radio Service acknowledges receipt of the third "Let's Go to Town" show produced by Rochester, N. Y., radio stations. Gunnar Wiig, WHEC, is Task Force Commander.

4TH ESTATE SPEAKS OUT OVER WGY

Editorial opinion of publishers of daily newspapers in the WGY area are being presented in a series of WGY broadcasts titled the "Voice of the Fourth Estate."

The publisher, his editors or prominent fellow citizens are brought together for a round-table discussion of a topic selected by the publisher. A variety of topics will be covered from national problems like juvenile delinquency or veterans' benefits to purely local needs such as improved hospital facilities. The newspaper crusading for a war memorial, such as that of the Rome Sentinel for a Fort Stanwix Memorial, has an opportunity to further its cause by radio promotion.

NAB COOPERATION IN OWI OVERSEAS OPERATION PRAISED

Elmer Davis, Director of the Office of War Information, in a letter this week to Howard S. Frazier, NAB Director of Engineering, who has been on part-time loan to OWI since November, 1944, praised the latter's services in the recruitment and training of technical personnel for OWI overseas radio operations.

Employed by OWI only after release from broadcast stations, necessary experienced supervisory personnel were given advanced training at Bethany, Ohio, where several OWI international transmitters are located. Here they were put through a course of indoctrination and gained actual experience on high powered transmitters. Many of the men were recruited from radio manufacturers. Extensive training of new personnel provided manpower without drawing heavily on domestic broadcast stations.

Elmer Davis' letter follows:

"I wish to express my thanks to you for the very valuable services you have rendered this agency in helping us to solve one of our most difficult recruitment problems. With your cooperation and that of National Association of Broadcasters, which has made your services available, the recruitment of technical personnel for our radio operations overseas has been greatly speeded up.

"I am glad that we shall continue to profit by your advice and counsel as we continue the job of meeting our overseas requirements."

PUBLIC RELATIONS EXECUTIVE COMMITTEE MEETS IN NEW YORK

The NAB Public Relations Executive Committee will meet at the Roosevelt Hotel in New York City June 18-19, John Patt, WGAR, Chairman, has announced.

Topics for discussion include distribution of the book, "Management in the Public Interest," Radio's Twenty-fifth Anniversary, a proposed Academy of Radio Arts and Sciences, report of the Listener Activity Department and several agenda items bearing on public acceptance of radio.

Members of the Committee on Network Participation in Radio's Twenty-fifth Anniversary observance have been invited to meet with the Public Relations Committee. Members of the Network Committee are: Dr. Frank Stanton, CBS, New York, N. Y.; Frank E. Mullen, NBC, New York, N. Y.; Robert D. Swezey, Mutual Broadcasting System, New York, N. Y.; and Mark Woods, Blue Network Company, New York, N. Y.

District Public Relations Chairmen who plan to be in New York at that time have been invited to attend the meeting.

Public Relations Executive Committee members are: John F. Patt, WGAR, Cleveland, Ohio, Chairman; Edgar L. Bill, WMBD, Peoria, Ill.; Harry Kopf, NBC, Chicago, Ill.; George Crandall, CBS, New York, N. Y.; Michael R. Hanna, WHCU, Ithaca, N. Y.; Craig Lawrence, WHOM, New York, N. Y.; Leslie W. Joy, KYW, Philadelphia, Pa.; Karl O. Wyler, KTSM, El Paso, Texas; and Lewis Allen Weiss, KHJ, Hollywood, Calif.

NAB Board Liaison Committee members are: Paul W. Morency, WTIC, Hartford, Conn., Chairman; John J. Gillin, WOW, Omaha, Neb.; and J. O. Maland, WHO, Des Moines, Iowa.

NAB CODE COMMITTEE MEETS JUNE 20-21

The NAB Code Committee will meet at the Roosevelt Hotel June 20-21, Lee Wailes, KYW, Chairman, has announced.

Proposed Code revisions will come in for further study, including the recommendations of the NAB Sales Managers Executive Committee. Current operating problems involving the Code will be discussed.

Members of the Code Committee are: Lee B. Wailes, KYW, Philadelphia, Pa., Chairman; Richard H. Mason, WPTF, Raleigh, N. C.; Jan Schimek, CBS, New York, N. Y.; Edgar L. Bill, WMBD, Peoria, Ill.; William S. Hedges, NBC, New York, N. Y.; Eugene P. O'Fallon, KFEL, Denver, Colo.; Herbert Hollister, KANS, Wichita, Kans.; and William B. Quarton, WMT, Cedar Rapids, Iowa.

Members of the NAB Board Liaison Committee are: Kolin Hager, WGY, Schenectady, N. Y., Chairman; Don S. Elias, WWNC, Asheville, N. C.; Frank M. Russell, NBC, Washington, D. C.; Paul W. Morency, WTIC, Hartford, Conn.; and Campbell Arnoux, WTAR, Norfolk, Va.

Federal Communications Commission Docket

HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, June 11. It is subject to change.

Wednesday, June 13

Oral Argument Before the Commission

REPORT NO. B-209:

WOV—Arde Bulova and Harry D. Henshel, Transferors, Murray Mester and Meyer Mester, Transferees, New York, N. Y.—Transfer of control of Wodaam Corporation (WOV); **1280 kc.**, 5 KW (main), 1 KW (auxiliary), shares WHBI (WHBI 1/7; WOV 6/7, DA).

Federal Communications Commission Action

APPLICATIONS GRANTED

KOTA—Black Hills Broadcast Co. of Rapid City, Rapid City, So. Dak.—Granted modification of construction permit, which authorized change in frequency, increase in power, etc., for extension of completion date from 6-4-45 to 9-4-45.

KNAK—Granite District Radio Broadcasting Co., Salt Lake City, Utah—Granted license to cover construction permit which authorized a new station to operate on **1400 kc.**, 250 watts, unlimited time. The licensee is granted a waiver of Sec. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. Also granted authority to determine operating power by direct measurement of antenna power.

WNEX—Macon Broadcasting Co., Macon, Ga.—Granted license to cover construction permit which authorized a new station to operate on **1400 kc.**, 250 watts, unlimited time. The licensee hereunder is granted a waiver of Sections 3.55(b) and 3.60 of the Commission's rules and regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will

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be installed as soon as such equipment becomes available. Also granted authority to determine operating power by direct measurement.

KFMB—Worcester Broadcasting Corp., San Diego, Calif.—Granted authority to determine operating power by direct measurement of antenna power.

WJBC—Arthur Malcolm McGregor, et al., d/b as radio station WJBC (assignor); Arthur Malcolm McGregor and Hugh L. Gatley, a partnership, d/b as radio station WJBC (assignee), Bloomington, Ill.—Granted consent to involuntary assignment of license of station WJBC from Arthur Malcolm McGregor, Dorothy Charlotte McGregor (deceased), and Hugh L. Gatley, a partnership, d/b as radio station WJBC, to Arthur Malcolm McGregor and Hugh L. Gatley, a partnership, d/b as radio station WJBC, a newly formed partnership. No monetary consideration is involved. (B4-AL-487)

WALV—Thomas Garland Tinsley, Jr., Richmond, Va.—Granted authority to use call letters WLEE instead of WALV heretofore assigned.

A. H. Belo Corp., Dallas, Texas—Granted construction permit for new portable developmental broadcast station to use frequencies to be assigned from time to time by the Commission's Chief Engineer; power 1 KW.

Raytheon Manufacturing Co., New York City—Granted construction permit for a new developmental broadcast station; frequencies to be assigned by the Commission's Chief Engineer from time to time; power 10 KW.

Raytheon Manufacturing Co., New York City—Granted construction permit for a new developmental broadcast station; frequencies to be assigned by the Commission's Chief Engineer from time to time; power 5 KW (peak).

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending February 1, 1947:

WFHR, Wisconsin Rapids, Wisc.; KVIC, Victoria, Texas; KWLM, Willmar, Minn.; WBRE, Wilkes Barre, Pa.; WGTM, Wilson, N. C.; WSOY, Decatur, Ill.; KUIN, Grants Pass, Ore.; KWOC, Poplar Bluff, Mo.; WCMI, Ashland, Ky.; KBND, Bend, Ore.*; WDMJ, Marquette, Mich.*; WBRK, Pittsfield, Mass.*

WCLO—Gazette Printing Co., Janesville, Wisc.—Granted renewal of license for the period ending February 1, 1946.

KASA—Southwest Broadcasting Co., Elk City, Okla.—Granted renewal of license for the period ending August 1, 1946.

WLAG—LaGrange Broadcasting Co., LaGrange, Ga.—Granted renewal of license for the period ending August 1, 1946.

KWRC—Western Radio Corp., Pendleton, Ore.—Granted renewal of license for the period ending August 1, 1946.

WFOY—Fountain of Youth Broadcasting Co., St. Augustine, Fla.—Granted renewal of license for the period ending August 1, 1946.*

The following stations were granted renewal of licenses for the period ending February 1, 1947:

WINX, Washington, D. C.; KCKN, Kansas City, Kans.; WEMP (Main and Aux.), Milwaukee, Wisc.; KVOX, Moorhead, Minn.; WSAV, Savannah, Ga.; KRJF, Miles City, Mont.; KROC, Rochester, Minn.; WSAJ, Grove City. Pa.; KROS, Clinton, Ia.; WRAW, Reading, Pa.*; WLNH, Laconia, N. H.*; KGEZ, Kalispell, Mont.*

MISCELLANEOUS

The following applications for FM broadcast stations were placed in the pending files in accordance with the Commission's policy of February 23, 1943:

Unity Corp., Inc., Toledo, Ohio; The Fort Hamilton Broadcasting Co., Hamilton, Ohio; Elias I. Godofsky, Brooklyn, N. Y.

The following applications for Commercial Television stations were placed in the pending files in accordance with Commission's policy of February 23, 1943:

Oregonian Publishing Co., Portland, Ore.; A. Frank Katzentine, Miami Beach, Fla.; Palmer K. and Lois C. Leberman, New York City.

Murray Mester and Meyer Mester, New York City—Granted petition for postponement of oral argument now scheduled for June 13, to July 25, in re application for transfer of control of Wodaam Corp., WOV, New York City, from Arde Bulova and Harry D. Henshel to Murray Mester and Meyer Mester.

KWKW—Southern Calif. Broadcasting Co., Pasadena, Calif.—Denied petition for partial grant of its application for construction permit (B5-P-3710, Docket 6737), to change frequency to **830 kc.**, using 1 KW only. (Original application requested change in frequency from **1430** to **830 kc.**, increase in power from 1 to 5 KW, install new transmitter and antenna, and change transmitter site).

APPLICATIONS FILED AT FCC

1130 Kilocycles

WDGY—Dr. George W. Young, Minneapolis, Minn.—Involuntary assignment of license from Dr. George W. Young, deceased, to Mae C. Young.

1190 Kilocycles

WLIB—WLIB, Inc., Brooklyn, N. Y.—Transfer of control of licensee corporation from Dorothy S. Thackrey to Theodore Corporation 100 shares common stock—100%.

1230 Kilocycles

KBTM—Jay P. Beard, tr/as Regional Broadcasting Co., Jonesboro, Ark.—Voluntary assignment of license to Jay P. Beard and Veda F. Beard, d/b as Regional Broadcasting Company.

1240 Kilocycles

NEW—Norwich Broadcasting Co., a partnership, composed of H. Ross Perkins and J. Eric Williams, Norwich, Conn.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, with power of 250 watts and unlimited hours of operation.

1450 Kilocycles

WAGM—Aroostook Broadcasting Corp., Presque Isle, Me.—Construction permit to increase power from 100 watts to 250 watts and hours of operation from specified hours to unlimited time, install new transmitter and antenna, and change location of transmitter.

1460 Kilocycles

WMPS—Memphis Broadcasting Co., Memphis, Tenn.—Voluntary assignment of license to WMPS, Inc.

FM APPLICATIONS

NEW—Radio Station WMFR, Inc., High Point, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.1 mc.**, with coverage of 5,030 square miles. Amended: to change name of applicant to James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as radio station WMFR, Inc.

WEHS, NEW—WHFC, Inc., Chicago, Ill.—Modification of construction permit (B4-PH-36, as modified, which authorized a new high frequency (FM) broadcast station) for extension of completion date from 7-8-45 to 10-8-45.

NEW—Miami Valley Broadcasting Corp., Dayton, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **47.1 mc.**, with coverage of 11,311 square miles.

NEW—Midwest F.M. Network, Inc., Grand Rapids, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.9 mc.**, with coverage of 6,850 square miles.

NEW—Midwest F.M. Network, Inc., Fort Wayne, Ind.—Construction permit for a new high frequency (FM) broadcast

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* Commissioner Durr voted for further inquiry.

station to be operated on **45.9 mc.**, with coverage of 7,850 square miles.

NEW—Midwest F.M. Network, Inc., Peoria, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.9 mc.**, with coverage of 7,600 square miles.

TELEVISION APPLICATIONS

W2XJT—William B. Still, tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Modification of construction permit (B1-PVB-100 as modified, which authorized a new experimental television broadcast station) for extension of completion date from 6-30-45 to 8-31-45.

MISCELLANEOUS APPLICATION

NEW—First Baptist Church, Pontiac, Mich.—Extension of authority to transmit programs to radio station CKLW, Windsor, Ontario, Canada.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

William J. Ellison, Inc., custom tailors at 545 Fifth Ave., New York, and the corporation's president and treasurer, Albert A. Chapman, are charged in a complaint with violation of the Wool Products Labeling Act and the Federal Trade Commission Act in connection with the sale of men's suits and overcoats. (5327)

Central University, 6030 Lowell Ave., Indianapolis, offering mail-order courses for the study of various subjects of higher learning, such as science, sociology, languages, history and theology, is charged in a complaint with misrepresentation. (5326)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Ace Cutlery Company, Ellicottville, N. Y., and Peter J. Michels, Inc., Brooklyn, N. Y., selling barber tools under the trade designation "C-MON," have stipulated to cease and desist from misrepresentations concerning their products. The respondents have cooperatively engaged in the preparation of advertising matter printed in trade publications and magazines, with picturizations of razors, hones, strops and allegedly hand-made shears, and the words "Manufactured at Ellicottville, N. Y., by Carl Monkhouse" and "Nationally Distributed by PETER J. MICHELS, INCORPORATED," although neither owned, operated nor absolutely controlled the plant or factory in which the products were manufactured. (4067)

Aloha Novelty Co., 5431½ Whittier Boulevard, Los Angeles, and Ben J. Saeta, trading as Courtesy Sales Co., 7409 Beverly Boulevard, Los Angeles, advertising, bottling and distributing perfumes, have stipulated to cease certain misrepresentations of their products. (4071)

Coast to Coast Umbrella Company, 40 West 29th Street, New York, manufacturing, reconditioning and distributing umbrellas primarily for use by women, has stipulated to cease certain misrepresentations of his products. The respondent has obtained old, worn, second-hand and used umbrella frames which he caused to be remodeled or reconditioned and to be recovered with a fabric material so as to have an appearance of newness, and has sold them without disclosing that they were not new. (4068)

George C. Dates & Associates, 1715 North American Building, Philadelphia, engaged in the sale and distribution of various cosmetic and drug preparations for use as applications to the hair and scalp, designated "Sebol," "Shampoo DX-2," "Hydrosul" and "Dioxynol," have stipulated to cease certain misrepresentations concerning the preparations. (4066)

Gra-No-Mor Co., 248 Winchester St., Brookline, Mass., agrees to discontinue certain misrepresentation in connection with the sale of Gra-No-Mor Hair Coloring and Tri-Pl-Oil Hair Tonic. (03228)

Hayes' Hi-Grade Hatchery, Twin Falls, Idaho, selling and distributing poultry chicks, has stipulated to cease certain misrepresentations of his products. (4070)

Hollywood Credit Clothing Co., Inc., operating a retail clothing store at 703 Seventh St., N. W., Washington, D. C., entered into a stipulation to cease and desist from using the words "camels," "camels hair," or any other term of similar meaning as a designation for or as descriptive of a product not composed entirely of the hair of the camel. (03289)

Morton's—A copartnership trading as Morton's, a retail clothing store at 312 7th Street, N. W., Washington, D. C., entered into a stipulation to discontinue using the word "Shetland" or any simulation thereof to designate or describe sweaters or other products not composed wholly of wool of Shetland sheep raised on the Shetland Islands or on the contiguous mainland of Scotland. (4065)

National Manufacture & Stores Corporation, trading as Lawrence Furniture Co., Forsyth Building, Atlanta, operating a chain of retail furniture stores in a number of southern States, including a department store under the name Lawrence Furniture Co. in Memphis, Tennessee, has stipulated to cease and desist from certain misrepresentations of jewelry sold by it. (4069)

Spiegel, Inc., Chicago, entered into a stipulation to cease and desist from representing that Grayvita Tablets, a vitamin preparation containing calcium pantothenate as its principal ingredient, will prevent or end gray hair or restore natural color to hair.

The company also agrees to stop representing that restoration of the natural color of hair has been effected in 88% or any other definitely stated percentage of those to whom calcium pantothenate was administered in tests. (03287)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Alaska Fur Trappers, Inc., and Max Friedman, president of the corporation, 36 West 35th Street, New York, selling and distributing fur products, have been ordered to cease and desist from misrepresentations concerning their products. (5199)

Liquid Tight Paper Container Assn.—Eight manufacturers of cylindrical liquid tight paper containers and the trade association of which they are or were members have been ordered to cease and desist from participating in or continuing a combination

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and conspiracy to restrain trade and suppress price competition in the sale of their products. The order is directed against the following respondents:

Liquid Tight Paper Container Association, 1532 Lincoln-Liberty Building, Philadelphia, and its secretary and manager, George J. Lincoln, Jr.; Boothby Fibre Can Co., 84 Linden Park St., Boston; George T. Hynes, trading as Champion Container Co., Third and Somerset Sts., Philadelphia; Fonda Container Co., Inc., St. Albans, Vt.; Menasha Products Co., Menasha, Wis.; Minkoff & Rosenfield Brothers, Inc., trading as Miro Container Co., 537 DeKalb Ave., Brooklyn; Russell Box Co., Kalamazoo, Mich.; Sealright Co., Inc., Fulton, N. Y., and Sutherland Paper Co., Kalamazoo, Mich.

Menasha Products Co., Russell Box Co. and Boothby Fibre Can Co. are no longer members of the Association and the last-named corporation has discontinued active business operations. (4675)

FTC COMPLAINT DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint against John M. O'Lane, B. M. O'Lane and Edith P. Cortell, trading as Universal Fingerprint Systems, Ltd., Seattle, Wash. The respondents had been charged with misrepresentation in the sale of correspondence courses of instruction in fingerprinting and other subjects connected with crime detection.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 24, June 15, 1945

"Telling the World" Report No. 4

Local Originations in Support 7th War Loan

Period—May 27-June 2

(Excluding Network and National Spot)

Sing for the 7th	5-min ET	3,657
Treasury Salutes	15-min ET	3,121
Music for Millions	15-min ET	3,001
Treasury Songs	5-min ET	50
Buy, Buy Bonds	5-min ET	10
Spots	Live & ET	76,560
	2-min	1,719
	3-min	639
Programs	5-min	762
	10-min	319
	15-min	1,514
	20-min	67
	25-min	40
	30-min	484
	35-min	2
	45-min	32
	50-min	8
	1 hour	35
	1¼ hours	21
	1½ hours	21
	2 hours	10
	2¾ hours	1
	11 hours	1
	15 hours	1
	17 hours	1

No. 6 report is due June 18

No. 7 report is due June 25

Please send Nos. 5, 4, 3, and 2 if you haven't

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

FLASH—ELECTION RESULTS

Complete official returns compiled by Ernst & Ernst under whose direction the referendum vote for Directors-at-Large, Network Directors and By-Law amendments is being conducted, disclose the following results:

Frank M. Russell, NBC, and Dr. Frank Stanton, CBS, have been confirmed as Network Directors; G. Richard Shafto, WIS, has been elected as Director-at-Large for medium stations. Elected as Directors-at-Large for small stations are Matthew H. Bonebrake, KOCY, and Clair R. McCollough, WGAL.

In addition to the foregoing, J. Leonard Reinsch, WSB, and J. Harold Ryan, WWVA, Executive Vice President of the Fort Industry Company, and present NAB President, will serve as Directors-at-Large for large stations and T. A. M. Craven for medium stations for the one-year term beginning July 1—these three having received a majority of the votes cast in the first balloting.

The two amendments to the By-Laws proposed by the Board of Directors were overwhelmingly approved by the membership vote.

The newly elected Directors-at-Large will assume their duties on July 1 when the reorganization of the Board takes place. In next week's NAB REPORTS complete information with reference to the personnel of the new Board will be given.

WILLS NOMINATED TO FCC

President Truman has sent the name of former Governor William H. Wills (Republican, Vermont) to the Senate to succeed Norman S. Case as a member of the Federal Communications Commission. Mr. Case has been a member of the Commission since 1934. His term expires on June 30. The term for Mr. Wills is for seven years from June 30.

COMMUNICATIONS SUBCOMMITTEE NAMED

The Communications Subcommittee of the House Committee on Interstate and Foreign Commerce has been named by Chairman Clarence F. Lea (D), Calif., and Representative Charles A. Wolverton (R), N. J., Ranking Minority Member of the Committee. The Subcommittee is made up of 7 Democrats, 6 Republicans and 1 American Labor Party member, under the chairmanship of Representative Alfred L. Bulwinkle (D), N. C. The membership follows:

DEMOCRATS

Alfred L. Bulwinkle, N. C., *Chairman*
Virgil Chapman, Ky.
J. Percy Priest, Tenn.
George G. Sadowski, Mich.
Richard F. Harless, Ariz.
John W. Murphy, Penna.
John B. Sullivan, Mo.

REPUBLICANS

Charles A. Wolverton, N. J.
Pehr G. Holmes, Mass.
B. Carroll Reece, Tenn.
Charles A. Halleck, Ind.
Clarence J. Brown, Ohio
Leonard W. Hall, N. Y.

AMERICAN LABOR

Vito Marcantonio, N. Y.

FLORIDA LABOR LAW INVALID

In the case of *Hill et al. v. State of Florida*, decided June 11, 1945, the Supreme Court of the United States in a majority opinion written by Mr. Justice Black invalidated Sec. 4 and Sec. 6 of a Florida Statute (House Bill No. 142, Laws of Fla. 1943, 21968, 565) regulating labor union activities.

It was held that Sec. 4 and Sec. 6 of the Fla. Act are invalid since the National Labor Relations Act and such sections of the Fla. Act "cannot 'move freely within the orbit of their respective purposes without infringing upon one another.'"

Section 4 of the Florida Act as stated by the Court, provides,

"that no one shall be licensed as a 'business agent' of a labor union who has not been a citizen of the United States for more than 10 years, who has been convicted of a felony, or who is not a person of good moral character. Application for a license as a 'business agent' must be accompanied by a $1.00 fee and a statement signed by officers of the union setting forth the agent's authority. The statute then provides that the application be held for 30 days to permit the filing of objections to the issuance of a license. A Board composed of the Governor, the Secretary of State, and the Superintendent of Education, then passes on the application, and if it finds the applicant measures up to the standards of the act, as it sees them, it authorizes the license to be issued, to 'expire on December 31 of the year for which issued unless sooner surrendered, suspended, or revoked.' Section 2 (2) defines 'business agent' as 'any person who shall for a pecuniary or financial consideration act or attempt to act' for a union 'in soliciting or receiving from any employer any right or privilege for employees' * * * or 'in the issuance of membership or authorization cards, work permits, or any other evidence of rights granted or claimed in, or by, a labor organization * * *'."

The Court in this connection states:

"The declared purpose of the Wagner Act, as shown in its first section, is to encourage collective bargaining, and to protect the 'full freedom' of workers in the selection of bargaining representatives of their own choice. To this end Congress made it illegal for an employer to interfere with, restrain or coerce employees in selecting their representatives. Congress attached no conditions whatsoever to their freedom of choice in this respect. Their own best judgment, not that of someone else, was to be their guide.

"'Full freedom' to choose an agent means freedom to pass upon that agent's qualifications.

"Section 4 of the Florida Act circumscribes the 'full freedom' of choice which Congress said employees should possess. It does this by requiring a 'business agent' to prove to the satisfaction of a Florida Board that he measures up to standards set by the State of Florida as one who, among other things, performs the exact function of a collective bargaining representative. To the extent that Section 4 limits a union's choice of such an 'agent' or bargaining representative, it substitutes Florida's judgment for the workers' judgment.

"Thus, the 'full freedom' of employees in collective bargaining which Congress envisioned as essential to protect the free flow of commerce among the states would be, by the Florida statute, shrunk to a greatly limited freedom. No elaboration seems required to demonstrate that Section

(Continued on next page)

4 as applied here 'stands as an obstacle to the accomplishment and execution of the full purposes and objections of Congress.'"

Section 6 of the Florida Act, as stated by the Court,

"requires every labor union 'operating' in the state to file a written report with the Secretary of State, disclosing its name, the location of its offices, and the names and addresses of its officers."

The Court goes on to say:

"Section 6, as here applied, stands no better. The requirement as to the filing of information and the payment of a $1.00 annual fee does not, in and of itself, conflict with the Federal Act. But for failure to comply, this union has been enjoined from functioning as a labor union. It could not without violating the injunction and also subjecting itself to the possibility of criminal punishment even attempt to bargain to settle a controversy or a strike. It is the sanction here imposed, and not the duty to report, which brings about a situation inconsistent with the federally protected process of collective bargaining. This is true because if the union or its representatives acted as bargaining agents without making the required reports, presumably they would be liable both to punishment for contempt of court and to conviction under the misdemeanor section of the act. Such an obstacle to collective bargaining cannot be created consistently with the Federal Act."

McDOWELL LEAVES FCC FOR KPRO

Riverside, California—Bill Gleeson, President and General Manager of the Broadcasting Corporation of America—operators of Radio Station KPRO in Riverside and San Bernardino, California, has just announced that Mr. James McDowell will join the staff of his organization on July 1st, as Public Relations Director.

Mr. McDowell for the past 10 years has been a lawyer in the Law Department of the Federal Communications Commission, handling broadcast station transfers, and for some years the Field Attorney of the FCC.

Prior to entering government service, Mr. McDowell served two terms as District Attorney in Illinois and later as Deputy U. S. District Attorney in Cook County, Chicago, where he handled such famous cases as the Al Capone and Samuel Insull prosecutions.

FORTY-EIGHT HOUR WEEK

For those member stations who are operating on a 48-hour week a recent ruling of the War Manpower Commission will be of interest.

The War Manpower Commission states first, the wartime work week of forty-eight hours will remain mandatory in group 1 areas of labor stringency but its continuation in other areas will be within the discretion of area manpower directors. Second, individual exemptions from the forty-eight hour requirement will be available to employers whose production is cut back significantly, and temporary exemptions will be granted if necessary. All such exemption applications should be made to the area manpower director who has detailed instructions on the factors to be taken into consideration in passing on such requests.

NATIONAL WAR LABOR BOARD RULING

Employers may now raise wage rates up to 55¢ per hour without War Labor Board approval pursuant to the Board's revised General Order No. 30. Up until now the limit to which wages could be raised without approval was 50¢. The change in rate does not mean that employers must raise wage rates to 55¢ but only that they may do so now without approval. The revised General Order applies to salary rates as well as wage rates. Thus salaries subject to WLB jurisdiction may be raised also. For example, using a 40-hour week, no approval is required to raise such salary from $20.00 to $22.00 per week.

Increases to 55¢ per hour need not be offset against the 5¢ and 10¢ limitation of the War Labor Board's standard clause for granting merit and length of service increases under General Order No. 31.

Although there has been no official ruling we understand that increases to 55¢ per hour may be made retroactively to May 23, 1945, which is the approval date of the revision of General Order No. 30, but may not be made retroactively to any earlier date unless approval is secured.

UNION CERTIFICATION: WHEN LOST

The National Labor Relations Board prepared a statement last week setting forth the steps by which employers who believe that a union certified as their bargaining agent no longer represents the majority of employes, may obtain a review of the certification.

Two steps were specified: first, the employer may petition the Board to obtain a construction of the certification; second, he may refuse to bargain with the certified union until charges of a refusal to bargain have been adjudicated by the Board either formally or informally.

The Board also stated: "If he elects to follow the latter procedure, the employer may with impunity disregard the certification until the issue has been determined and he has been directed to bargain. In this connection, we wish to point out that if the employer's objection to the certification is well grounded, the Board will, administratively and without issuing a complaint or conducting a hearing, hold that the certification is no longer binding. Thus it is fair to say that when the Board issues a certification it does not ordinarily define its application in all conceivable factual situations but expects that in normal course any substantial questions which thereafter arise concerning its operative effect will be brought before the Board for determination as above indicated."

The Labor Relations Board revealed that it had agreed with the War Labor Board that where the question arose in a dispute before the War Labor Board such question would be referred to the Labor Relations Board. Mr. George W. Taylor, Chairman of the War Labor Board, stated that it does not have authority to entertain employer petitions questioning the majority status of a bargaining agent. If there is prima facie evidence the union has lost its majority, the Board would decline to process the case until the union had gone to the Labor Relations Board to have the matter of representation cleared up.

PANEL 4 MEMO—BRIEF ON ALLOCATIONS

The following Memorandum Brief, signed by Howard Frazier, Chairman, Panel 4, on Standard Broadcasting of the Radio Technical Planning Board, has been submitted to the Federal Communications Commission:

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C.

Docket No. 6651

In the Matter of:

Allocation of Frequencies to the Various Classes of Non-Governmental Services in the Radio Spectrum from 10 Kilocycles to 30,000,000 Kilocycles

This Memorandum Brief in the above entitled matter is respectfully submitted by Panel 4 on Standard Broadcasting of the Radio Technical Planning Board. It is the desire of the Panel to assist the Commission in bringing about the maximum utilization of radio frequencies suitable for standard broadcasting.

(Continued on next page)

Report of Proposed Allocation below 25,000 kc., Docket 6651

On May 21, 1945, the proposals of the Commission in regard to standard broadcasting set forth on pages 45 and 46 of the above entitled report were transmitted to the membership of the Panel together with a request that they express their views on the proposed allocation to the chairman of the Panel for guidance in the preparation of this brief.

Proposal to Enlarge the Standard Broadcast Band

During the course of the hearing, testimony was presented to the Commission on behalf of the Panel supporting two proposals for the enlargement of the standard broadcast band. The first proposal, the addition of 540 and 530 kc channels to the standard broadcast band was supported unanimously by all three subcommittees of the Panel. The second proposal, that three additional channels be added to the broadcast band, namely 540, 530 and 520 kilocycles, was strongly supported by the Allocation and the Transmitter Committees of the Panel. The Receiver Committee, comprised largely of engineers representing receiver manufacturers, did not support the second proposal but recommended that the broadcast band be extended only to and including 530 kilocycles (Tr. 938, 939, 940; Exhibit 156, pp. 23, 25 and 31). In connection with the proposed use of the 530 and 520 kilocycle channels the proposed report of the Commission, page 45, reads as follows:

> "The use of 520 and 530 kc for standard broadcasting would involve serious problems of interference with auto alarms on the international distress frequency 500 kc. Moreover, most of the radio receiving sets being used today are not equipped to tune to 520 and 530 kc and it is not practicable to modify these receivers (Tr. 935, 938, 981; Ex. 156, pp. 24 and 25). For these reasons the Commission does not propose to assign 520 and 530 kc for standard broadcast purposes."

A careful review of the record, upon which the proposed report is based, does not reveal any factual data as to the interference that might be caused to auto alarms operating on the international distress frequency of 500 kc. Two witnesses testified on this subject. The first was William B. Lodge, Director of General Engineering for the Columbia Broadcasting System, who testified that he was not familiar with the design of auto alarms and that his only information on this subject was hearsay evidence (Tr. 987). The second witness was Howard C. Looney, who is Chief of the Marine Section of the Safety and Special Services Division, Engineering Department, Federal Communications Commission, who placed in the record regulations covering the use of auto alarms and the Commission's technical requirements for these devices. This witness, in response to a question from the Chairman concerning possible interference with auto alarms from broadcast stations, stated as follows:

> "That is a matter of considerable investigation and study and at this time I would not like to make recommendation in that respect, Mr. Fly." (Tr. 3706)

Later, the same witness in response to a question from the chairman of Panel 4 stated that the evidence he had placed in the record was not sufficient to form the basis for a determination of interference to auto alarms from broadcast operations on 530, 520 kc (Tr. 3708). On the other hand, Paul F. Godley, an expert on allocation matters testifying on behalf of Panel 4 in support of the Panel's proposal to extend the broadcast band, discussed this interference problem in considerable detail. Mr. Godley suggested the use of "very modest power" on the 520, 530 kc channels and stated that in his opinion possibility of interference to auto alarms could be overcome by power and geographical restrictions on the licensing of stations for these channels. Mr. Godley also pointed out that even with very severe restrictions on the power of such stations that their broadcast coverage would be extensive on these lower frequencies. (Tr. 950 to 964, Exhibit No. 157.)

The proposed report also states that "most of the radio receiving sets being used today are not equipped to tune to 530, 520 kc." This conclusion is substantiated by the record. However, there is considerable evidence in the record that most FM receivers will be sold in combination with an AM receiver which was the practice before the war. The testimony of several witnesses substantiates this point. (Cotter, Tr. 1056-1062; Brown, Tr. 1105; Smythe, Tr. 4611 and Reed, Tr. 4712.)

The testimony of Dallas W. Smythe of the FCC is particularly pertinent as he placed in the records statistical data on the number and types of FM receivers which have been manufactured. Mr. Smythe testified (Tr. 4611) that a total of 395,755 sets or units were manufactured, of which 365,648 were FM-AM combinations, or approximately 92 per cent of all previously manufactured FM units have been combined with AM receivers. During the course of the hearing, many witnesses testified as to the anticipated widespread growth of FM broadcasting in the post war period and the demand for FM receivers. Thus the conclusion can logically be drawn that most radio homes will be rapidly equipped with new AM-FM combination receivers during the post war period. This public demand for new combination receivers and the general obsolescence of existing receivers, due to wartime manufacturing restrictions, make the present period an ideal time to prepare for the *future expansion* of the standard broadcast band.

It is recognized that other services are now operating in the portion of the spectrum between 540 and 520 kc and that it might not be possible to entirely clear this spectrum space for broadcast purposes in the near future. However, it is respectfully suggested that receivers capable of receiving these frequencies can be placed in the hands of the public during the next few years if the Commission *now declares its intent* of eventually including these frequencies in the standard broadcast band. The Panel 4 Receiver Committee, comprised almost entirely of engineers representing receiver manufacturers, has evidenced a willingness to redesign post war receivers to include the 530 kc channel in the standard broadcast band. (Exhibit 156, page 25.) Only two dissenting votes in the Receiver Committee were cast against this recommmendation. Therefore, since the record indicates that manufacturers can and will modify AM receiver designs and the inclusion of the 540 kc channel necessitates redesign of many receivers, it is respectfully requested that the Commission reconsider its previous decision in respect to the 530 kc channel. It is probable that a thorough study of the interference problems in connection with auto alarms and the use of 530 kc channel for broadcasting might indicate that 520 kc can safely be used for broadcast services, at least in the interior of the continent where better than average conductivity is found and the need for broadcast service over vast distances is greatest.

Relay Broadcast Service

The Commission's proposed report states that the Commission intends to provide channels between 1,600 and 3,000 kc for this service over comparatively long distances. The Panel endorses the Commission's proposal to provide for this very necessary service and expresses the hope that the Commission will be able to provide an adequate number of channels of proper width for this purpose.

Studio Transmitter Links

Frequencies for this service have been allocated in the portion of the spectrum above 25,000 kc. Panel 4 recommended during the course of the hearing that these facilities be made available to all aural broadcasters on an equal basis with broadcast services other than standard. The allocation above 25,000 kc as announced and the proposed allocation below 25,000 kc are not clear as to the broadcast services which will be authorized to utilize radio studio-transmitter facilities. Therefore, the Panel respectfully calls the Commission's attention to its original recommendation in this regard and it is again urged that all aural broadcast services be permitted to enjoy the advantages of such facilities.

(Continued on next page)

Satellite Stations

The Commission's Report of the Allocations from 25,000 kc to 30,000,000 kc, dated May 25, 1945, provides for the ultra high frequency control of satellite transmitters on frequencies above 1,000 mc on an experimental basis. The Panel is gratified that the Commission has provided for the future development of this service. The Panel's proposal to extend the standard broadcast band and the recommendation that ultra high frequencies be utilized for satellite control provide, in the opinion of the Panel, the most logical methods of improving standard broadcast service. Both of these proposals were also endorsed by the Small Market Stations Committee of the National Association of Broadcasters. This committee, the membership of which is predominantly representative of local stations, is well aware of the need for improving the existing coverage of stations of this class. It is the intention of the Panel to assist in the development of standards for the ultra high frequency satellite control service.

Respectfully submitted,
Panel 4, on Standard Broadcasting
of the
Radio Technical Planning Board
By HOWARD S. FRAZIER, *Chairman.*

June 12, 1945
Washington, D. C.

UNRRA ISSUES CLIP SHEET

United Nations Rehabilitation Relief Administration today (15) inaugurates a radio clip sheet service for women directors.

According to Marvin Beers, UNRRA radio chief, all material will be drawn from reports and correspondence of field workers engaged in relief operations abroad. UNRRA is classed as an international organization and for this reason does not clear its releases through OWI.

HEARS MIAMI GLOBAL SHOW IN GERMANY

The Miami "Let's Go to Town" show, produced under the direction of F. W. Borton, WQAM, Task Force Commander, was heard in Europe about April 28. A hometown boy, Sgt. F. K. Danks, first to write his appreciation, said:

"Miami has been my home since 1926 and I want you to know I enjoyed hearing all the news about everything—particularly sitting here in a German town that is just a shadow of its former self." He said reception was excellent and that program was heard over "our AEF station."

ANNIVERSARY WAR BOND AUCTION

Hutchinson, Kans.—KWBW observed its tenth anniversary on the air May 28 by incorporating a War Bond auction into the birthday theme.

More than 100 prizes totaling an approximate value of $3,000.00 were given by Hutchinson merchants to be auctioned.

One hungry bidder purchased $200,000.00 worth of bonds in order to procure for himself a 21-pound ham. The donator of this ham agreed to cook it for the ravenous high bidder.

NEBRASKA BROADCASTERS MEET

The Nebraska Broadcasters Association held their annual meeting in Fremont on May 26th.

Among the several resolutions unanimously adopted was the following:

"We hereby request the NAB to use its efforts to convince the FCC to cease disqualifying public service programs as such because they may be sponsored; and to ask the FCC to revise its rules for determining sustaining and commercial broadcasting periods."

Art Thomas, WJAG, Secretary of the Nebraska Association, states in a letter to NAB that he has been asked to explain that the above quoted resolution "is not intended to be inclusive. For instance it does not cover stations whose business has materially increased since their last application."

RUSSIAN RADIO

Stating that in Russia "the public may hear only a program chosen by the authorities," June 16 issue of the N. Y. *Times* carries a story under the byline of Charles Friedman who reports on Soviet radio, now operating a total of more than 100 stations.

Mr. Friedman sees Premier Stalin attaching the same importance to radio as did Lenin who is said to have sensed its importance as a potential instrument of controlled propaganda, and who is quoted in the *Times* as having called it the "newspaper without paper and without distance."

In striking contrast with the American system of free radio and the American tradition of freedom of speech, is Mr. Friedman's description of the single, government-controlled Russian network. Mr. Friedman says:

"The broadcasts of the central station in Moscow are relayed by dozens of other stations and thousands of 'radio centers' in all cities and large settlements. These centers, at which the public may hear only a program chosen by the authorities, are hooked up to more than 5,000,000 loudspeakers. By Stalin's direct orders, a new and up-to-date station, described as the most powerful medium-wave station in the world, was constructed in the capital during the war."

SEE PUBLIC SERVICE ERA COMING

Editor & Publisher of June 9 carries a report by a research firm which analyzed a survey which was made to determine the advertising value to sponsors of newspaper cooking schools.

Contained in the report is the following comment:

"In the years ahead we are definitely entering a service era and the more service, industry, including newspaper publishers, can render to their community from the standpoint of self-enlightened interest should be the most effective concept and one that in the long haul will do most for the newspaper . . ."

The report suggested that cooking schools be replaced with "home economic forums," to be held once each month.

TEACHERS RADIO INSTITUTE

KANSAS CITY, MO.—The first KMBC Radio Institute for Teachers opened its doors this week as authorities on radio in education congregated in Kansas City for the three weeks' course. Advance registration, which had long since reached the capacity figure of 300, found teachers in attendance from throughout the heart of America.

Sponsored in cooperation with the Kansas City public schools, and the University of Kansas, the KMBC Radio Institute is dedicated to giving educators a better understanding of broadcasting's place in the American way of life, to teach them how to make more effective use of radio for class work, and to show them how to evaluate radio programs in terms of the educational needs of students.

Well-known broadcasting authorities scheduled to speak at the Institute include C. E. Hooper on the subject of "Research and Evaluation"; Capt. W. C. Eddy, U. S. Navy retired, commanding officer, Radio Materiel School, Chicago, on "Radio's Advancing Horizons"; and CBS executives including Dr. Lyman Bryson, director of education,

(Continued on next page)

on "Educational Radio"; John J. Karol, sales manager, on "The Business of Radio"; and Bill Downs, famed war correspondent, on "News in Radio."

Faculty members of the Institute include Kenneth G. Bartlett, director of the radio workshop, Syracuse University; Marguerite Fleming, director, drama and radio workshop, South High School, Columbus, Ohio; Mortimer Frankel, associate script editor, CBS; Edgar B. Gordon, professor of music, University of Wisconsin; Ola B. Hiller, director of radio, Pontiac Public Schools; George Jennings, acting director, radio council, station WBEZ, Chicago public schools; Harold B. McCarty, director WHA, the Wisconsin School of the Air; Elizabeth Goudy Noel, senior specialist in training techniques, U. S. Office of Education, Washington, D. C.; and Margaret Snyder Perko, writer for the Wisconsin School of the Air.

Staff members of KMBC will also participate in the daily sessions from June 11-29. Arthur B. Church, president, is exofficio director of the Institute; Dr. Charles F. Church, director of education, is director.

KFI ON PUBLIC SERVICE

LOS ANGELES, CAL.—KFI General Manager, W. B. Ryan, states that "the numerous expressions of approbation that KFI receives each season from listeners regarding the Los Angeles Philharmonic Young Artists' Competition leads us to believe that the program series fulfills its intended purpose of serving the public through the medium of radio.

"More than 100 talented young instrumentalists have had the opportunity to perform symphonic works with orchestra accompaniment. Of this number four have appeared later in solo concerts with the Los Angeles Philharmonic Orchestra."

KFI's Young Artists' Competition program won the 1944 George Foster Peabody Award as the "most outstanding radio program for youth in America."

STANDARD STATION APPLICATIONS LISTED

The Federal Communications Commission has released a complete list of pending applications for new standard broadcast stations. This release lists the applicants by state and city and indicates the frequency, power and time of operation covered by the application. Copies of the list which is designated "News Release 82712, June 7, 1945" may be obtained from the Commission.

951 STANDARD BROADCAST STATIONS

During the month of May 1945, the FCC licensed three stations to operate and issued three new construction permits. A compartive table of the number of standard broadcast stations by months, follows:

	1944							1945					
	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1
Operating	910	912	913	912	914	916	919	919	921	923	924	925	928
Construction	13	12	13	16	15	15	18	24	24	22	21	23	23
	923	924	926	928	929	931	937	943	945	945	945	948	951

53 Commercial FM Stations

	June 1, 1945
Operating	46
Construction	7
	53

9 Commercial Television Stations

	June 1, 1945
Operating	6
Construction	3
	9

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, June 18. They are subject to change.

Wednesday, June 20

Oral Argument before the Commission en banc
To be held in the Auditorium of the National Museum, 10th Street and Constitution Avenue

Report of Proposed Allocations below **25,000 kc.**

In the Matter of Allocation of Frequencies to the various classes of non-governmental services in the radio spectrum from **10 kc.** to **30,000,000 kc.**

NEW—Fred O. Grimwood, Bloomington, Ind.—C. P., **1490 kc.,** 100 watts, unlimited.

Thursday, June 21

WMC—Memphis Publishing Company, Memphis, Tenn.—Renewal of license, **790 kc.,** 5 KW (main), 500 watts (aux.), unlimited (main), auxiliary purposes only (aux.), DA-night.

Federal Communications Commission Action

APPLICATIONS GRANTED

KPHO—Central Newspapers, Inc. (transferor), Rex Schepp (transferee), Phoenix Broadcasting, Inc. (licensee), Phoenix, Ariz.—Granted consent to acquisition of control of Phoenix Broadcasting, Inc., licensee of station KPHO, by Rex Schepp (who owns 33.3% of outstanding stock) for a consideration of $17,333 for 21.66% of outstanding capital stock. (B5-TC-437.)

KFMB—O. L. Taylor (transferor), Jack O. Gross (transferee), Worcester Broadcasting Corp., San Diego, Calif.—Granted consent to voluntary acquisition of control of Worcester Broadcasting Corp., licensee of station KFMB, by Jack O. Gross, for a consideration of $103,857 for 3,750 shares, or 50% of the oustanding capital stock of licensee. (B5-TC-419.)

The Board of Education of Newark in the County of Essex, Newark, N. J.—Granted construction permit for new non-commercial educational broadcasting station; unlimited time; 1 KW power.

WSSV—Southside Va. Broadcasting Corp., Petersburg, Va.—Granted license to cover construction permit for a new station to operate on **1240 kc.,** 250 watts, unlimited time. The licensee hereunder is granted a waiver of Sections 3.55 (b) and 3.60 of the Commission's rules and regulations upon the following conditions (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) That approved frequency and modulation monitors will be installed as soon as such equipment becomes available. Also granted authority to determine operating power by direct measurement of antenna power.

Fred H. Hover, d/b as Findlay Radio Co., portable, area of Findlay, Ohio.—Granted construction permit for new relay broadcast station; frequencies: **30820, 33740, 35820** and **37980 kc.,** 25 watts.

(Continued on next page)

KMMJ, Inc., Grand Island, Neb.—Same except 50 watts, and to be used with applicant's standard station KMMJ.

KHQ-KGA—Louis Wasmer, Inc., Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses of stations KHQ and KGA, now scheduled for June 18, and continued same to July 18, 1945.

LICENSE RENEWALS

WCKY—L. B. Wilson, Inc., Cincinnati, Ohio.—Granted renewal of license for the period ending May 1, 1948.

KFBI—The Farmers & Bankers Broadcasting Corp., Wichita, Kans.—Granted renewal of license for the period ending May 1, 1948.

WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Granted renewal of license for the period ending Feb. 1, 1947.

KXOX—Sweetwater Radio, Inc., Sweetwater, Texas.—Granted renewal of license for the period ending August 1, 1946.

WPRA—Puerto Rico Advertising Co., Mayaguez, Puerto Rico.—Granted renewal of license for the period ending May 1, 1948.

DESIGNATED FOR HEARING

Orangeburg Broadcasting Corp., Orangeburg, S. C.; The Observer Radio Co., Orangeburg, S. C.—Designated for consolidated hearing to be heard with application of Augusta Broadcasting Co., Charleston, S. C., the applications of Orangeburg Broadcasting Corp. and The Observer Radio Co., all requesting frequency **1450 kc.**, 250 watts, unlimited time.

MISCELLANEOUS

KEEW—Radio Station KEEW, Ltd., Brownsville, Texas.—Denied special service authorization to operate on **910 kc.**, with 250 watts power, unlimited time, for the period ending 3 a. m. EST, Dec. 1, 1945.

John M. Spottswood, Key West, Fla.—Denied petition requesting waiver of proof of performance requirement attached to conditional grant of April 24, 1945, for a new station.

The following application for new high frequency FM broadcast stations were placed in the pending files in accordance with Commission policy of February 23, 1934:

Evergreen Broadcasting Corp., Seattle, Wash.; KXL Broadcasters, Portland, Ore.

The following applications for new commercial television broadcast stations were retained in the pending files:

Westinghouse Radio Stations, Inc., Boston, Mass., Philadelphia, Pa., and Pittsburgh, Pa.

Albert E. Buck and Merle H. Tucker, a partnership, d/b as Rio Grande Broadcasting Co., Gallup, N. M.—Adopted memorandum opinion and order granting construction permit for a new station to operate on **1230 kc.**, with power of 250 watts, unlimited time, subject to the condition that the applicant shall be required to install frequency and modulation monitors of types to be approved by the Commission as soon as such equipment shall become available upon the market and subject to the further condition that a construction permit will not be issued until the applicant has satisfied the Commission with respect to the following within 90 days of conditional grant, in accordance with the procedural requirements announced in public notice issued by the Commission on January 26, 1944: (1) By evidence in writing from the War Production Board that any authorization of that board necessary to carry the construction to completion has been obtained or that none is required; (2) That the applicant is in a position to complete all construction necessary to the proposed operation within a reasonable period; and (3) Acceptance of the grant upon these conditions has been submitted in writing within 20 days of the date of grant.

APPLICATIONS FILED AT FCC

580 Kilocycles

WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Authority to determine operating power by direct measurement of antenna power.

1140 Kilocycles

KGDM—E. F. Peffer, Stockton, Calif.—Authority to make changes in automatic frequency control unit.

1380 Kilocycles

KOTA—Black Hills Broadcast Company of Rapid City, Rapid City, S. Dak.—License to cover construction permit (B4-P-3580 as modified) for change in frequency, increase in power, installation of new transmitter and directional antenna for night use and move of transmitter.

KOTA—Black Hills Broadcast Company of Rapid City, Rapid City, S. Dak.—Authority to determine operating power by direct measurement of antenna power.

1400 Kilocycles

WHGB—Herbert Kendrick and G. L. Hash, d/b as Harrisburg Broadcasting Company, Harrisburg, Penna.—License to cover construction permit (B2-P-3677 as modified) for a new standard broadcast station.

WHGB—Herbert Kendrick and G. L. Hash, d/b as Harrisburg Broadcasting Company, Harrisburg, Penna.—Authority to determine operating power by direct measurement of antenna power.

1450 Kilocycles

WBBL—Grace Covenant Presbyterian Church, M. A. Sitton, Agent, Richmond, Va.—License to cover construction permit (B2-P-3638 as modified) for change in frequency, increase in power, changes in equipment and hours of operation.

WBBL—Grace Covenant Presbyterian Church, M. A. Sitton, Agent, Richmond, Va.—Authority to determine operating power by direct measurement of antenna power.

1490 Kilocycles

WSAP—Portsmouth Radio Corp., Portsmouth, Va.—License to cover construction permit (B2-P-3742) for installation of new vertical antenna.

WSAP—Portsmouth Radio Corp., Portsmouth, Va.—Authority to determine operating power by direct measurement of antenna power.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Construction permit to install a Composite 250 watt transmitter at present site to be operated as an auxiliary transmitter with power of 250 watts.

FM APPLICATION

NEW—Debs Memorial Radio Fund, Inc., New York, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48.7 mc.**, with coverage of 8,600 square miles. Amended to change coverage to 7,273 square miles, changes in antenna, change transmitter and studio location.

TELEVISION APPLICATIONS

W2XMT—Metropolitan Television, Inc., New York, N. Y.—Modification of construction permit (B1-PVB-40 as modified which authorized construction of new experimental television station) for extension of completion date from 6-30-45 to 9-30-45.

NEW—Metropolitan Television, Inc., New York, N. Y. (P. O. 749, Lexington Ave.)—Construction permit for a new commercial television station to be operated on Channel #8 **(162-168 mc.)**, with ESR of 721. Amended to change frequency from Channel #8 **(162-168 mc.)** to Channel #8 **(186-192 mc.)** as proposed in reallocation, and make changes in equipment and antenna.

NEW—Earle C. Anthony, Inc., Los Angeles County, Calif.—Construction permit for a new experimental television broadcast station to be operated on Channel #2 **(60-66 mc.)**, power of 4 KW (peak), and A5 emission.

NEW—Television Productions, Inc., Los Angeles, Calif (P. O. 5451 Marathon St.)—License for a new commercial television broadcast station to be operated on Channel #4 **(78-84 mc.)**, with power of 4 KW visual, 1 KW aural, and A5 and Special for FM emission.

NEW—KSTP, Inc., St. Paul, Minn.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 **(50 to 56 mc.)** with ESR of 1961.

MISCELLANEOUS APPLICATIONS

NEW—The KCKN Broadcasting Co., Kansas City, Mo.—Construction permit for a new developmental broadcast station to be operated on **49.9** and **99.8 mc.**, power of 1 KW, and A0 and Special emission.

NEW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Construction permit for a new developmental broadcast station to be operated on **49.7**, **49.9** and **99.8 mc.**, power of 1 KW, and A0 and Special emission.

NEW—Emerson Radio & Phonograph Corp., New York, N. Y. (P. O. 111 Eighth Ave.)—Construction permit for a new developmental Broadcast station to be operated on **100 mc.**, with power of 500 watts and FM emission.

W3XLA—Everett L. Dillard, tr/as Commercial Radio Equipment Co., Portable, area of Washington, D. C.—Modification of construction permit (B1-PEX-44, which authorized a new Satellite Developmental Broadcast Station) for extension of completion date from 6-16-45 to 9-15-45.

NEW—Associated Broadcasting Corp., Grand Rapids, Mich.—Extension of authority to transmit programs from Grand Rapids Michigan, to CKLW, Windsor, Ontario, Canada, for the period beginning 6-27-45.

NEW—Textile Broadcasting Co., Greenville, S. C. (Portable)—Construction permit for a new relay broadcast station to be operated on **33.38**, **35.02**, **37.62** and **39.82 mc.**, power of 2 watts and A3 emission.

W3XWT—Allen B. DuMont Laboratories, Inc.,—Washington, D. C.—License to cover construction permit (B1-PVB-105) which authorized reinstatement and changes in transmitter site, power, emission and type of equipment.

W9XLA—KLZ Broadcasting Company, Denver, Colo.—License to cover construction permit (B5-PEX-41) for change in class of station from Temporary Class 2 Experimental High Frequency to Developmental Broadcast.

W9XLA—KLZ Broadcasting Co., Portable, area of Denver, Colo.—Modification of construction permit (B5-PEX-42, which authorized a new Satellite Developmental Broadcast Station) for extension of completion date from 7-4-45 to 1-4-46.

WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—License to cover construction permit (B1-PH-473) for changes in antenna.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

American Sales Co. et al.—A complaint alleging misrepresentation in the sale of secondhand wearing apparel has been issued against Isidore Gendelman and Samuel Gendelman, trading as American Sales Co., Universal Bargain House, and National Sales Co., 367 Sutter Ave., Brooklyn. (5331)

Italian Accordion Mfg. Co.—Misrepresentation in connection with the sale of accordions is alleged in a complaint issued against Walter Zulawinski and Louise Zulawinski, trading as Italian Accordion Manufacturing Company and as Italia & P. Soprani Accordion Manufacturing Company, 323 West Polk Street, Chicago. (5330)

Kleerex Co., 2005 South Michigan Ave., Chicago, is charged in a complaint with disseminating advertisements which represent falsely that the medicinal preparation they sell under the name of Kleerex is an effective treatment for pimples and will cause pimples to dry up and disappear overnight.

The respondents are granted 20 days to answer the complaint. (5332)

Lankenau Company—A complaint has been issued charging Henry Lankenau, Richard Lankenau and Harry Lankenau, trading as Lankenau Company, 1450 Broadway, New York, with falsely representing that they are the manufacturers of the wool and rayon fabrics they sell in interstate commerce. (5328)

Pixacol Company, Post Office Box 3583, Cleveland, Ohio, is charged in a complaint with disseminating false advertisements concerning Pixacol, a medicinal preparation. (5329)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATION

During the past week the Commission has announced the following stipulation:

Rose Fur Co., 20 West 27th St., New York, entered into a stipulation to cease using any animal or purported animal name or designation for fur or fur garments which is not the true name of the animal producing the fur; provided, that if the fur is so dyed as to simulate another fur, that fact shall be set forth as an integral part of its designation, and if the name of the animal whose fur is so simulated be given, such name shall be immediately followed by and compounded with the word "dyed," together with the true name of the animal producing the fur as the last word of the description, all words of the designation to be in like type and equally conspicuous. (4075)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W.
WASHINGTON 6, D. C.
Vol. 13, No. 25, June 22, 1945

"Telling the World" Report No. 5

Local Originations in Support 7th War Loan

Period—June 3-9

(Excluding Network and National Spot)

Sing for the 7th	5-min ET	4,088
Treasury Salutes	15-min ET	3,193
Music for Millions	15-min ET	3,203
Treasury Songs	5-min ET	52
Buy, Buy Bonds	3-min ET	299
Spots	Live & ET	100,919
	2-min	2,163
	3-min	608
Programs	5-min	968
	10-min	422
	15-min	1,473
	20-min	21
	25-min	32
	30-min	587
	35-min	1
	45-min	20
	50-min	5
	1 hour	82
	1½ hours	14
	2 hours	15
	3 hours	5
	6¼ hours	1
	7 hours	1

No. 7 Report is due June 25

No. 8 Report is due July 2

Please send Reports Nos. 6, 5, 4, and 3 if you haven't

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

"RADIO COMMERCIALS MEAN AMERICA", SAYS EISENHOWER

General Dwight D. Eisenhower, Supreme Commander of the Allied Forces in the European Theater, received a rousing reception from Washingtonians on Monday (18). In the course of his talk at the luncheon tendered him by Washingtonians at the Statler, General Eisenhower is reported in the Washington "Evening Star" as having said in part, "Were I a speaker instead of a soldier, there's one thing I would try to do today. I would try to describe the feelings of the soldier who returns home from the war after a long time.

"We have long been in countries where we didn't understand the language, and later when we were in Germany, not only were we unable to understand the language, but the faces were hostile and sullen.

"You don't know what it means to hear language that clinks sweetly in our ears—to hear commercials on the radio—and in all it means America to us.

"To all the men who have considered themselves almost expatriates, it means coming home. They have earned the gratitude of their country, and from what I saw today, they are going to have it."

BOARD PERSONNEL CHANGES

While no definite date has as yet been fixed for the next meeting of the Board of Directors, July 1 has been designated as the beginning of an "NAB year." At that time four new Directors-at-Large and three newly elected District Directors will assume Board membership.

Re-elected as Directors-at-Large for the ensuing one-year term were J. Leonard Reinsch, WSB, in the large station classification, and T. A. M. Craven, WOL, for the medium stations. Re-elected District Directors were: 1st District, Paul W. Morency, WTIC; 9th District, Leslie C. Johnson, WHBF; 11th District, E. L. Hayek, KATE; 17th District, Harry R. Spence, KXRO.

Newly elected Directors-at-Large are: Harold Ryan, WWVA, and Executive Vice President of the Fort Industry Company, in the large station classification; G. Richard Shafto, WIS, in the medium station classification; and Matthew H. Bonebrake, KOCY, and Clair R. McCollough, WGAL, for small stations.

Mr. Ryan is well known to all in the industry, having been a member of the Board for four years representing the 7th NAB District (Kentucky, Ohio), and having served the past 14 months as NAB President.

Mr. Shafto is no stranger to the Board, having served as District Director for the 4th District (D. C., Virginia, West Virginia, North Carolina, South Carolina) from 1942 to 1944. He was born in Clifford, New Jersey, in 1904 but when 10 years old removed, with his family, to Richmond, Virginia, where he completed his high school education. He studied technical radio and advertising at the Radio Institute, New Orleans, Georgia Tech and Columbia University. In 1923 he built Station WQAT at Richmond and during 1924 and 1925 was a shipboard radio operator. There followed two years of service with Westinghouse in selling broadcast receivers. He then went with Graybar selling broadcast transmitters. In 1932 he became Manager of Radio Station WIS, Columbia, South Carolina. He is President of the Forest Lake Country Club and formerly a member of the Board of Kiwanis and the Chamber of Commerce of Columbia. He is former chairman of the Richland County Red Cross and served as OWI Regional Consultant. He is 4th District member and chairman of the NBC Stations Planning and Advisory Committee. He is an Episcopalian and was married in 1927. His hobbies are hunting, fishing and golfing. He succeeds Don S. Elias, WWNC, as medium station Director, Mr. Elias having declined renomination.

Mr. Bonebrake, who has long taken an active interest in NAB affairs but has not had previous experience on the Board, was born in Rolla, Missouri, in 1907. He graduated from the University of Missouri in 1929, following which he joined the advertising staff of the "Daily Oklahoma." He then became commercial manager of WKY where he served from 1931 to 1938. He joined in the organization and became manager of KOCY in 1938.

Mr. McCollough, in addition to being Executive Vice President and Director of WGAL, occupies the same position with WKBO, WDEL, WORK, WAZL and WEST, and is General Manager of the Mason-Dixon Radio Group, comprising these stations. He previously served on the NAB Board and has for the past two years been a member of the NAB Legislative Committee. He has always taken an active interest in the affairs of the industry. He is a strong advocate of close cooperation and a united front within the industry as well as the obligation of all broadcasters to give the public consistent public service.

George D. Coleman, WGBI, replaces Roy Thompson, WFBG, as Director for the 3rd District (Pennsylvania, Delaware, Maryland). Mr. Coleman was born in Scranton, Pennsylvania in 1899. He was educated in Scranton Public Schools and Penn State Extension College. His first employment was with the Hudson Coal Company and later he accepted a position with the General Electric Company, Schenectady. In 1929 he became manager of Frank Megargee's radio store in Scranton and in 1932 was appointed General Manager of WGBI. He has been active in civic affairs and is First Vice President of the Scranton Rotary Club; Vice Chairman of the Radio Committee of the American Legion, Department of Pennsylvania; and Director of the Scranton Better Business Bureau. He is married to the former Ruth Lenore LaBar and is the father of a son, Ronald, aged 8. He resides in Clarks Summit, Pennsylvania.

James D. Shouse, WLW, returns to the Board as 7th District Director (Kentucky, Ohio). He previously served as Director-at-Large for large stations for two consecutive one-year terms. Mr. Shouse was born at Newcastle, Kentucky. He graduated from Miami University, following

(Continued on next page)

which he taught school for two years. He was then affiliated with "Liberty" Magazine for a term of four years and with CBS for six years. For one year following that he was with Stack-Goble Advertising Agency and left that position to assume the General Managership of CBS-owned KMOX at St. Louis, where he served for one year. He then became General Manager of the Crosley broadcasting activities where he has served since 1937. Under his management Station WLW has won 15 national awards. In 1943 he was sent to London as special consultant of the Office of War Information. He succeeds Nathan Lord of WAVE, who was not a candidate for re-election.

William B. (Bill) Smullin, KIEM, replaces Arthur Westlund, KRE, as 15th District Director, Mr. Westlund having declined renomination. Mr. Smullin was born in Pennsylvania in 1907. At an early age he removed with his family to the Hood River Valley at Parkdale, Oregon, where he received his early schooling. He attended Willamette University at Salem, Oregon, and graduated in the class of '29. He was manager and then editor of the college paper. Following his university graduation he became managing editor of the Southwestern Oregon News, Marshfield, and was successively advertising manager of the Oregon Grange Bulletin, Portland, and then became President-Manager of the Redwood Broadcasting Company (KIEM). He also operates the Coast Broadcasting Company and is Secretary-Treasurer and Director of the Southern Oregon Broadcasting Company (KUIN). He married Patricia Duell of Spokane and is the father of two children, Shirley, 12, and William David, 3. He is a member of the Executive Committee of the California Aviation Committee and past President of the Eureka Chamber of Commerce and the Kiwanis Club. He is Vice Chairman of the North California State Chamber of Commerce, Transportation Committee, and presently is Director of the Eureka Chamber of Commerce, Campfire Girls, Boy Scouts, Kiwanis, Red Cross, YWCA and USO. He is a member of the San Francisco Press Club, the Masons, Shrine, Eastern Star, NAA and an associate member of IRE. He is also Secretary-Treasurer-Director of the Santa Clara Broadcasting Company, San Jose, as yet non-operating.

In addition to these new faces upon the Board, Martin B. Campbell, WFAA, replaces Hugh A. L. Halff, WOAI, who resigned in March. Mr. Campbell had, previous to Mr. Halff's resignation, been elected as 13th District Director for the two-year term beginning July 1.

Fred W. Borton, President of WQAM, was elected by the Board to succeed John C. Bell, WBRC, who was compelled to resign as 5th District Director on account of ill health. Mr. Borton assumed his duties at the Board meeting held in Omaha in May. He had previously been elected by referendum vote to represent the 5th District for the two-year term beginning July 1.

Following is a complete list of the Board of Directors for the ensuing "NAB year," beginning July 1:

District 1	Paul W. Morency, WTIC Hartford, Connecticut
District 2	Kolin Hager, WGY Schenectady, New York
District 3	George D. Coleman, WGBI Scranton, Pennsylvania
District 4	Campbell Arnoux, WTAR Norfolk, Virginia
District 5	F. W. Borton, WQAM Miami, Florida
District 6	Hoyt B. Wooten, WREC Memphis, Tennessee
District 7	James D. Shouse, WLW Cincinnati, Ohio
District 8	John E. Fetzer, WKZO Kalamazoo, Michigan
District 9	Leslie C. Johnson, WHBF Rock Island, Illinois
District 10	John J. Gillin, Jr., WOW Omaha, Nebraska
District 11	E. L. Hayek, KATE Albert Lea, Minnesota
District 12	William B. Way, KVOO Tulsa, Oklahoma
District 13	Martin B. Campbell, WFAA Dallas, Texas
District 14	Hugh B. Terry, KLZ Denver, Colorado
District 15	William B. Smullin, KIEM Eureka, California
District 16	William B. Ryan, KFI Los Angeles, California
District 17	Harry R. Spence, KXRO Aberdeen, Washington

Directors-At-Large

Large Stations	J. Leonard Reinsch, WSB Atlanta, Georgia J. Harold Ryan, WWVA Wheeling, West Virginia
Medium Stations	T. A. M. Craven, WOL Washington, D. C. G. Richard Shafto, WIS Columbia, South Carolina
Small Stations	Matthew H. Bonebrake, KOCY Oklahoma City, Oklahoma Clair R. McCollough, WGAL Lancaster, Pennsylvania
Network—CBS	Frank Stanton, CBS New York, N. Y.
Network—NBC	Frank M. Russell, NBC Washington, D. C.

IN MEMORIAM

Judge Sykes

Judge Eugene Octave Sykes, who as much as any one man set the course of the American System of Broadcasting, passed away Thursday afternoon, June 21, at his Washington home.

"The Judge" as he was affectionately known throughout the radio industry was an original appointee to the Federal Radio Commission and the first Chairman of the Federal Communications Commission.

His constructive criticism during the early days of the industry did much to establish and encourage the growth of broadcasting as it now exists in America.

NAB PLEADS FOR OWI RADIO BUREAU

Harold Ryan, NAB President, appeared before the subcommittee of the Senate Appropriations Committee on Friday (15) to plead for the restoration in the budget of an item sufficient to maintain the Radio Bureau of the Domestic Branch of the Office of War Information.

By House action the OWI budget had been cut to $17,000,000 as against a request for $42,000,000. This drastic cut would, according to Elmer Davis, OWI Director, have necessitated the abandonment of the entire Domestic

(Continued on next page)

Branch, including the Radio Bureau. Mr. Ryan's testimony follows:

"This Association is a voluntary organization comprising the owners and operators of domestic broadcast stations. Of the 928 stations now in operation 649 are active members of NAB. They represent every type of broadcasting and stations of every power, large, medium and small.

"Prior to the declaration of the war this Association had adopted an industry policy under which all government programs and announcements were broadcast without any charge whatsoever. With the advent of the war a most chaotic condition developed in the matter of requests from government agencies upon individual stations for time. The several agencies had no means of knowing what requests for radio time were being made by other agencies with the result that demands were being made upon the stations for time far in excess of the amount that could be broadcast without destroying the effectiveness of the messages and producing confusion in the minds of the listeners. A situation developed under which the stations were unable to determine which of these requested programs and announcments should take precedence.

"This Association, therefore. assisted in the organization of a radio section in the Office of Facts and Figures which was the predecessor of the Office of War Information. When the Domestic Branch of the Office of War Information was created a Radio Bureau was made a separate unit.

"Through this Bureau an orderly method of handling the programs and announcements coming from various war agencies was perfected. Allocation plans covering both networks and individual stations were worked out. Requests from all of the war agencies are channelled through the Radio Bureau of the Office of War Information and decision is made as to the relative importance to the war effort of the material submitted. The stations and the networks set aside a definite portion of their time daily for these OWI approved announcements and programs. Thus those matters which are first in importance are given priority over others of lesser importance.

"As a result a maximum of efficiency is achieved and the radio stations are enabled to conduct their operations with full knowledge of the amount of time they will be called upon to devote to war effort announcements and programs. In event the activities of the Radio Bureau are impaired or terminated for any reason during the war it is certain that an even more chaotic condition than that existing prior to the development of the Radio Bureau would result. Immediately all of those agencies which have been clearing their material through OWI will undoubtedly send it direct to the stations. The volume will be so great that no station can carry all of it and there will be a wide variance of opinion as to the order of importance of the items submitted.

"It is clear, then that such a condition would seriously impair the war effort. Unquestionably a tremendous contribution has been made to a better understanding by the public of the important war activities because of the coordination of war messages by the Radio Bureau of the OWI.

"It may be argued that such a clearing bureau could or should be maintained by the industry. This, however, would not be possible unless some means of compelling the compliance by governmental agencies with the bureau's decision was instituted. It is almost certain that compliance could not be gotten by voluntary action. The objections to compelling government agencies to clear material through a private agency are obvious.

"Some idea of radio's participation in the war information campaigns conducted by the Domestic Radio Bureau of OWI may be gained from an examination of the following tabulation:

Radio Participation in War Information Campaigns—1944

A Summary of Campaigns Conducted by OWI Domestic Radio Bureau with Time and Talent Contributed by Advertisers, Networks and Stations.

OWI FACILITIES	No. of Programs	No. of War Messages Per Week	No. of War Messages Per Year	Est. "Listener-Impressions" Per Week	Est. Annual Value of Time & Talent (Net)
1. Network Allocation Plan	410	210	10,920	460,000,000	$39,000,000**
Sponsored	260				
Sustaining	150				
2. Special Assignment Plan	...	50	2,575	95,000,000	8,449,000**
3. Nat'l Spot & Regional Network Allocation Plan	185	1,617*	84,048	24,000,000	2,774,000**
4. Station Announcement Plan:	(Stations)				
Network Affiliates	621	26,082	1,356,264	....	....
Independent	272	17,136	891,072	....	....
Total	893	43,218	2,247,336	63,000,000	15,861,000
5. Special Events	32	......	....	....	57,600**
6. Women's Radio War Program Guide	1,000	......	....	....	....
Total	.....	45,095	2,344,879	642,000,000	$66,141,600

*Represents number of station-broadcasts per week.

**Figures represent commercial value of time and talent of programs carrying OWI assigned messages.

Typical OWI Radio Campaigns in 1944

Campaigns	Weeks	Programs	Station Announcements	Est. Listener Impressions	Est. Value of Time & Talent
WAC Recruiting	43	600	112,144	1,318,256,000	$2,700,000
Prepare for Winter	10	484	43,218	583,725,000	1,500,000
Victory Gardens	16	274	36,330	1,095,480,000	805,000
Red Cross War Fund	10	431	93,765	1,166,205,000	2,000,000
Fourth War Loan	5	472	87,994	1,390,543,000	2,574,000
War Production Comes First	4	226	....	519,798,000	1,000,000
Cadet Nurse Corps	13	223	25,515	625,695,000	1,250,000
Income Tax Regulations	8	315	10,248	686,345,000	1,314,000
Sixth War Loan	4	817	25,012	1,675,297,000	2,812,840
National War Fund	5	421	41,514	787,616,000	1,500,000

"We most earnestly request that your honorable committee report favorably the restoration in the budget of the funds necessary to maintain on an efficient basis the Radio Bureau of the Domestic Branch of the Office of War Information for the duration of the war."

FEDERAL AID FOR PUBLIC AIRPORTS

"Hazards" to airports included in a national plan for the development of public airports proposed by the Administrator of Civil Aeronautics, under S. 2 in the U. S. Senate and H. R. 3170 are defined as structures or objects of natural growth located on or in the vicinity of a public airport which obstructs the air space required for the flight of aircraft or in landing or taking off of aircraft.

A project sponsor who desired to develop an airport included in the national plan and is unable to secure the necessary land and landing areas free from hazards may call upon the Administrator to exercise "eminent domain" procedures. The court in which such condemnation proceedings is instituted has jurisdiction to determine whether the acquisition desired is "necessary." If successful the Administrator is authorized to turn over to the project sponsor the condemned property.

The House Bill provides for hearings before the Administrator by Public Agencies (including the FCC) which may have reasonable objections to the proposed plan. NAB is attempting to secure a provision giving a right of hearing before the Administrator for stations which would be adversely affected by any such plan.

The Senate Bill introduced by Senator Pat McCarran (D-Nevada) which has been reported favorably by the Committee on Commerce may be called up for consideration by the Senate the week of June 26.

The House Bill is still under consideration by a subcommittee of the House Committee on Interstate and Foreign Commerce.

PUBLIC RELATIONS COMMITTEE MEETS

(As released by NAB News Bureau, June 20)

The Public Relations Executive Committee of the National Association of Broadcasters met in New York on Monday and Tuesday (18-19). In attendance were Edgar L. Bill, WMBD, Peoria; George Crandall, CBS, New York; Craig Lawrence, WHOM, New York; Leslie W. Joy, KYW, Philadelphia; Michael R. Hanna, WHCU, Ithaca; Willard D. Egolf, public relations director of the National Association of Broadcasters and secretary of the Committee, and J. Harold Ryan, NAB president.

Committee members unable to attend were John F. Patt, WGAR, Cleveland; Harry Kopf, NBC, Chicago; Karl O. Wyler, KTSM, El Paso; and Lewis Allen Weiss, KHJ, Hollywood.

The Committee received and discussed a report on distribution of the recently published NAB public relations book, *Management in the Public Interest.* The report indicated that a copy of the book has gone to all NAB members and rapidly is being distributed to national organizations and persons of national prominence. Mr. Egolf stated that 5,000 extra copies of the book have been ordered by stations.

The Committee discussed ways and means of increasing public distribution of *Management in the Public Interest* to the possible extent of 25 or 30 thousand copies through NAB stations. Expressions of approval were voiced by all Committee members who inspected numerous letters of commendation which have been received at NAB headquarters from top-flight industry executives and heads of national organizations. These letters unanimously extolled *Management in the Public Interest* as an excellent public relations work.

The Committee carefully considered the desirability of compiling a list of case histories as exemplified in the various illustrations contained in *Management in the Public Interest* into a manual for the use of station operators. These case histories would not be limited to those who sent in photos but would be solicited from all stations.

It was decided to round out a complete library of photos on radio's war activities, these to be published in a book similar to *Management in the Public Interest.* Suggested title of this new book is "Radio in the War." Major part of this book would be devoted to radio's war job on the home front.

Much time was devoted to discussion of Twenty-fifth Anniversary activities. A report was made on Kiwanis Radio Week. One hundred per cent participation by Kiwanis Clubs was reported by Kiwanis International which had sent many pictures of Citation presentations in towns throughout the country. Many other details of Twenty-fifth Anniversary observance were discussed. It was pointed out that radio is very busily engaged in the war effort and that the "*Pledged to Victory*" theme is the salient feature of Twenty-fifth Anniversary observance. Previously discussed plans for a Twenty-fifth Anniversary week which had been tentatively scheduled for the coming Fall were definitely shelved so that the industry may more effectively train its sights on V-J Day with a view to bringing it to an earlier realization.

Meeting with the Committee for the purpose of discussing participation of radio manufacturers in broadcasters' Twenty-fifth Anniversary observance were John S. Garceau, Director of Personnel and Public Relations for the Farnsworth Radio and Television Company; W. B. McGill, Director of Advertising, Westinghouse Radio Stations, Inc., and Philip Lesly, Vice President of Theodore Sills and Company, RMA Public Relations Counsel.

Much time was spent considering the Lee and Losh suggestion for Radio Academy Awards. Mr. E. T. B. Harris of Lee and Losh explained the plan in minute detail to the Committee. The Committee suggested several modifications.

Frances Farmer Wilder, Consultant on Daytime Serials for the Columbia Broadcasting System, gave a summary of the findings of the CBS Survey on Daytime Serials. This summary was received with great interest by the Committee. A complete discussion of audience reaction to radio in general ensued.

A report on listener activity was made by a liaison subcommittee of the Public Relations Committee. This Committee. consisting of George Crandall, Craig Lawrence, Michael Hanna and Leslie Joy, Chairman, had previously conferred with Dorothy Lewis, NAB Director of Listener Activity. Mrs. Lewis has recently returned from the San Francisco Conference.

The Committee considered a suggestion made by William B. Way, Vice President of KVOO, Tulsa and Director for NAB District 12, who has proposed that stations be supplied with a newspaper mat service dealing with the American system of broadcasting. Steps were considered for furtherance of this program. Committee consensus was that an expanded budget would be necessary.

CODE COMMITTEE MEETS

The NAB Code Committee was in session in New York for the second day of its scheduled two-day meeting (June 20-21) as NAB REPORTS went to press.

A full report of this meeting will be carried in next week's issue of REPORTS.

COURT HEARS NABET CASE

A hearing on the petition of the National Labor Relations Board for a decree to compel NBC and the American Broadcasting Company (Blue) to recognize the Board's certifications of the National Association of Broadcast Electricians and Technicians (NABET) as the bargaining

(Continued on next page)

agent for platter turners was held before the Second Circuit Court of Appeals (New York) last week.

The court consists of Judge Thomas W. Swan, presiding, and Judges Harris B. Chase and Charles E. Clark. NLRB was represented by Alvin J. Rockwell, its General Counsel. John T. Cahill and Franklin S. Wood appeared respectively for NBC and the American-Blue. AFM, while not officially represented, put in an appearance through Henry A. Friedman, assistant to Joseph A. Padway, General Counsel.

The action was brought by NLRB pursuant to provisions of the Wagner Act and is designed to put the full force of a judicial decision behind the NLRB order awarding jurisdiction over platter turners in NBC and American-Blue stations outside of Chicago to NABET. An early ruling is expected.

"RIGHT-TO-WORK" LAW UPHELD

A special three-judge Federal court declares as constitutional a "Right-to-Work" amendment to the Federal Constitution.

The amendment provides that:

"The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization; provided, that this clause shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer."

The court distinguishes between this constitutional amendment and state statutes which ban picketing or require union organizers to buy a license before doing business. The Florida amendment does not conflict with the Wagner Act either, the court decides. Nowhere does it deny the right to organize or to bargain collectively; it recognizes that right. All it does is to declare that membership in a union shall not be a condition of getting or keeping a job, presumably extending to people not union-minded a right they lacked under some conditions prior to the adoption of the amendment.

The court, among other things, makes the following statements:

* * * "Instead of preventing or abridging the rights of speech, press, assembly, and petition, the amendment seeks to preserve it to those who do not join a labor union as well as to those who do." * * *

* * * "There is no prohibition against a citizen belonging to any union that he chooses, but the prohibition seems to be against requiring membership in the union in order for a citizen to be eligible for work." * * *

* * * "The Florida constitutional amendment prohibits no one from joining a union but undertakes to declare that it shall not be a condition precedent to the right to work. It does not deny the labor union member the equal protection of the law, but appears to be designed to give to the non-union worker a protection of law which he had not theretofore enjoyed."

COURT BANS UNION-MANAGEMENT COMBINATIONS

The Supreme Court of the United States in the case of *Allen Bradley Company et al* vs. *Local Union No. 3, IBEW*, rendered a decision on Monday (18) under which agreements between electrical equipment manufacturers of metropolitan areas, contractors, and electrical workers' union to boycott out-of-area and non-union goods constitute a combination in restraint of trade and a monopoly over the electrical industry in violation of the Sherman Anti-trust Act and, in view of union participation with business men who had power to eliminate competition among themselves, the situation is not within the exemptions afforded unions under Clayton and Norris-LaGuardia Acts; declaratory judgment and injunction against union must be amended so as to enjoin only those prohibited activities in which union engaged in combination with non-labor groups.

PANEL 4, RTPB, HEARD IN ORAL ARGUMENT

Supplementing the brief filed with the Federal Communications Commission on June 13, on behalf of Panel 4, Standard Broadcasting, of the Radio Technical Planning Board (NAB REPORTS—page 235) Howard S. Frazier, chairman of the Panel, appeared before the Commission on Wednesday (20).

The complete text of Mr. Frazier's statement follows:

On behalf of Panel 4 on Standard Broadcasting of the Radio Technical Planning Board, may I take this opportunity to express to the Commission our appreciation of the Commission's action in adopting several of the recommendations which we submitted. I refer to the extension of the broadcast band to include 540 kc; the experimental authorization of high frequency controlled satellite transmitters; facilities for the relay broadcast service and studio-transmitter links for aural broadcast stations.

With respect to relay broadcasting, I have been asked by members of the Panel to again call to the Commission's attention the importance of the 1600 to 3000 kc region for this service over comparatively long distances. The proposed allocation states, "Number and width of channels will be left for future determination." I wish to reiterate our plea that an adequate number of channels in this region of proper width be provided for this very important service.

With reference to the Panel's proposal to extend the broadcast band to either 530 or 520 kc, may I read the following excerpts from the testimony of Dr. Charles B. Aiken, a technical consultant, at the Informal Engineering Conference held by the Federal Communications Commission in June of 1936. Dr. Aiken was appearing at that time on behalf of the National Association of Broadcasters. I read from Dr. Aiken's statement.

"It must be admitted that the present American broadcast band is overcrowded, and yet the clamor for new frequency assignments steadily increases. The public has enthusiastically supported the majority of the stations in existence, and would certainly support more. There are many rural parts of the country that need additional service, especially during the day, when signals from a distance cannot be heard. Such regions can be served only by more stations or more power, or both.

"Another fault to be found with the present system of allocation arises from the fact that broadcasting has been forced to use certain frequencies not well suited to its needs. While aware of the technical shortcomings of these frequencies, the Industry has made every effort to utilize them as fully as possible, and, under direction of the Federal Communications Commission, has built up a system unequaled anywhere in the world.

"RURAL COVERAGE.—Obviously, rural areas should receive as good service as it is possible to give them. Not only the United States, but Canada and Mexico as well, contain large regions which can best be served by relatively long distance broadcasting. It would appear therefore, that our needs for long range transmission are better established than are those of any European nation except Russia. Although faced with the difficult problems raised by the clash of national interests, these nations have succeeded in allocating their broadcast services where they can be most effective, while the North American nations have completely failed in efforts to secure such allocations.

"A more satisfactory broadcast structure can be obtained only by the assignment of new groups of frequencies. One group below 550 kc would do much to improve rural coverage in the United States and Canada, but would be of less use to Mexico because of the high noise levels and low latitudes.

"It is well known that, for a given radiated power, the

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radius of ground-wave coverage decreases rapidly as the frequency is increased, and that the zone of serious fading also draws in toward the transmitter. . . . There is a tremendous change in ground-wave coverage with frequency, and it is therefore not surprising that there should be general agreement that the higher frequencies (of the standard broadcast band) are not well suited to broadcasting. . . . The high frequencies can be used for local coverage only, and the problem of delivering a satisfactory service to large suburban regions and to rural areas can be solved only by the efficient use of longer waves.

"The United States, Canada, and Mexico are large countries having well developed needs for rural coverage. The longest waves are perhaps less interesting to Mexico, because of the high noise levels which commonly exist on the low frequencies in southern latitudes, but Canada and the northern part of the United States present coverage problems which can best be solved by the use of low-frequency broadcasting. The European countries have long recognized the advantages of such services, even though no one nation except Russia has anything like such distances to cover as are regularly met with in North America. In spite of conflicting national interests and in spite of the great value which is accorded to the military services by all European countries, their administrations have realized the tremendous importance of broadcasting and the technical value of long waves for rendering efficient service. As a result, a continent which has less need for it, has evolved a fairly satisfactory structure employing frequencies from 153 to 546 kc., while the continent which, from the standpoint of national boundaries, geographical distances, and economic capabilities, has the most obvious need for low-frequency broadcasting stations has succedeed in acquiring none below 540 kc. That this is an unfortunate state of affairs can hardly be denied."

I have taken the liberty of quoting so extensively of Dr. Aiken's report because I feel that his testimony is just as pertinent and to the point today as it was nine years ago.

As we pointed out in our Memorandum Brief filed with the Commission on June 13 there is reason to believe that the radio listeners in the post-war period will purchase great quantities of AM-FM combination receivers. Also many listeners will purchase new AM receivers, due to the obsolescence brought about by the wartime years during which no new receivers were manufactured for civilians. This prediction is fully sustained by testimony presented during the course of the hearing. It is the opinion of the Panel that most of these new receivers, which will go into production in the very near future, can be designed to include 530 as the lower limit of the standard broadcast band if the Commission now declares its intent to further expand the broadcast band when the frequencies can be made available for broadcast service.

SUPREME COURT DECIDES WOW CASE

The Supreme Court of the United States on Monday (18) handed down its decision in the case involving the license and ownership of Radio Station WOW, Omaha. The full text of the decision in so far as it pertains to all but jurisdictional questions follows:

No. 593.—October Term, 1944

On Writ of Certiorari to the Supreme Court of the State of Nebraska

Radio Station WOW, Inc. (a Nebraska Corporation), Woodmen of the World Life Insurance Society (a Nebraska Corporation), De E. Bradshaw, *et al.*, Petitioners,

vs.

Homer H. Johnson.

[June 18, 1945.]

Mr. Justice Frankfurter delivered the opinion of the Court.

This case concerns the relation of the Federal Communications Act, 48 Stat. 1064, 47 U. S. C. § 151 *et seq.*, to the power of a State to adjudicate *conflicting claims to the property used by a licensed radio station.* At the outset, however, our power to review the decision below is seriously challenged.

The facts relevant to the jurisdictional problem as well as to the main issues are these, summarized as briefly as accuracy permits. Petitioner, Woodmen of the World Life Insurance Society, a fraternal benefit association of Nebraska, owns radio station WOW. The Society leased this station for fifteen years to petitioner, Radio Station WOW, Inc., a Nebraska corporation formed to operate the station as lessee. After the Society and the lessee had jointly applied to the Federal Communications Commission for consent to transfer the station license, Johnson, the respondent, a member of the Society, filed this suit to have the lease and the assignment of the license set aside for fraud. While this suit was pending, the Federal Communications Commission consented to assignment of the license, and the Society transferred both the *station propties* and the *license* to the lessee. Thereafter the Society answered that "the Federal Communications Commission . . . has and concedes that it has no jurisdiction over the subject matter of plaintiff's action, except jurisdiction to determine the transfer of the license to operate said radio station, which jurisdiction after full and complete showing and notwithstanding objections filed thereto, was exercised in the approval of the transfer of said license to the defendant Radio Station WOW, Inc., and further order to the Society to execute and perform the provisions of said lease by virtue of which the possession of said lease property has now been delivered to the lessee, all as more particularly herein found." Respondent's reply admitted "that the Federal Communications Commission has and concedes that it has no jurisdiction over the subject matter of plaintiff's action except jurisdiction to determine the transfer of the license to operate said radio station." The trial court found no fraud and dismissed the suit.

The Supreme Court of Nebraska, three Judges dissenting, reversed and entered judgment for respondent, directing that the lease *and license* be set aside and that the original position of the parties be restored as nearly as possible. 144 Neb. 406, 13 N. W. 2d 556. The judgment further ordered that an accounting be had of the operation of the station by the lessee since it came into its possession and that the income less operatig expenses be returned to the Society. On motions for rehearing the petitioners asserted that only the Federal Communications Commission and the federal courts had jurisdiction over the subject matter, not the Nebraska courts. These motions were denied in an opinion in which the Nebraska Supreme Court stated, "We conclude at the outset that the power to license a radio station, or to transfer, assign or annul such a license, is within the exclusive jurisdiction of the Federal Communications Commission. . . . The effect of our former opinion was to vacate the lease of the radio station and to order a return of the property to its former status, the question of the federal license being a question solely for the Federal Communications Commission. Our former opinion should be so construed." The claim that the Nebraska courts had no jurdisdiction over the subject matter of the action was thus dealt with: "The fact that the property involved was used in a licensed business was an incident to the suit only. The answer of the defendants, heretofore quoted, squarely contradicts the position they now endeavor to assume. Their position is unsound on its merits and, in addition thereto, it was eliminated from the case by the pleadings they filed in their own behalf." 144 Neb. 432, 14 N. W. 2d 666. Because of the importance of the contention that the State court's decision had invaded the domain of the Federal Communications Commission, we granted certiorari. In the order allowing certiorari we directed attention to the questions whether the judgment is a final one and whether the federal questions raised by the petition for certiorari are properly presented by the record. 323 U. S. 705.

This brings us to consider what federal questions are here. The court below decreed the transfer of property used as a radio station. It conceded that it had no jurisdiction over the transfer of the license under which WOW was operating. That is a matter which Congress has put in the keeping of the Federal Communications Commission. Petitioner claims that the court's decree in effect involves an exercise of the very authority which the Court dis-

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avowed. This presents a federal question which was duly made below, and we must consider it.

But it is not open to us to consider independently the claim that the Federal Communications Act has withdrawn from the State court jurisdiction over the physical properties of the station and given it to the Federal Communications Commission. The Society's answer admitted that this controversy was outside the jurisdiction of the Commission except as it related to the transfer of the license, and respondent joined in this view. Only after the Nebraska Supreme Court's original opinion did petitioners, by motions to dismiss the suit and for rehearing, claim that the Nebraska courts were wholly without jurisdiction over the controversy. In its opinion on rehearing the Nebraska Supreme Court rejected this claim as "contrary to the pleadings filed" in the trial court, and also denied it on its merits. "The answer of the defendants, heretofore quoted," that court wrote, "squarely contradicts the position they now endeavor to assume. Their position is unsound on its merits and, in addition thereto, it was eliminated from the case by the pleadings they filed in their own behalf." Questions first presented to the highest State court on a petition for rehearing come too late for consideration here, unless the State court exerted its jurisdiction in such a way that the case could have been brought here had the questions been raised prior to the original disposition. *Simmerman* v. *Nebraska*, 116 U. S. 54; *Godchaux Co.* v. *Estinopal*, 251 U. S. 179; *American Surety Co.* v. *Baldwin*, 287 U. S. 156. Here the Nebraska Supreme Court held that the federal question had dropped out as a matter of pleading and also denied its merits.

This brings the situation clearly within the settled rule whereby this Court will not review a State court decision resting on an adequate and independent non-federal ground even though the State court may have also summoned to its support an erroneous view of federal law. "Where the judgment of the state court rests on two grounds, one involving a federal question and the other not . . . and the ground independent of a federal question is sufficient in itself to sustain it, this Court will not take jurisdiction." *Lynch v. New York*, 293 U. S. 52, 54-55. One of the petitioners, Radio Station WOW, Inc., seeks to avoid the force of this rule by suggesting that its answer did not make the concession as to the limited jurisdiction of the Federal Communications Commission upon which the Nebraska court relied. But it is not for us to consider the correctness of the non-federal ground unless it is an obvious subterfuge to evade consideration of a federal issue. See *Neilson* v. *Lagow*, 12 How. 98, 109-111. It may be Nebraska State practice that the answer of one defendant binds the others, or that failure to raise a question in the pleadings precludes its consideration on rehearing. These are matters of State law and not our concern. Cf. *Fair Haven R. R. Co.* v. *New Haven*, 203 U. S. 379, 386.

The federal question that remains is whether, although the Nebraska court clearly recognized that the power to vacate a license and to authorize its transfer lies exclusively with the Federal Communications Commission, its decree in effect is inconsistent with such recognition. This is urged on two grounds. It is asserted that the Nebraska Supreme Court, by ordering the transfer of the licensed facilities from Radio Station WOW, Inc., to the Society although not having power to direct the transfer of the license, severed the licensed facilities from the license and therefore nullified the license. Secondly, it is urged that by ordering the parties "to do all things necessary" to secure a return of the license to the defrauded Society, the State court *invaded the Commission's function.*

The judgment, following the original opinion, ordered that "the transfer of the license to operate the station be vacated and set aside." On rehearing, the court made it quite plain that it was within the exclusive jurisdiction of the Communications Commission to vacate radio licenses and declared that its former opinion should be so construed. While it did not formally modify its judgment, it is reasonable to assume that the view which it unambiguously rejected in its opinion it did not mean to assert through its judgment. *Hotel Employees' Local* v. *Board*, 315 U. S. 437, 440-441; *Burke* v. *Unique Printing Co.*, 63 Neb. 264. But in matters of potential conflict between State and federal authorities, avoidance of needless friction no less than good draftsmanship counsels explicit and not merely argumentative restriction of a State court's judgment within its powers.

In any event, we think the court went outside its bounds when it ordered the parties "to do all things necessary" to secure a return of the license. *Plainly that requires the Society to ask the Commission for a retransfer of the license to it and requires WOW not to oppose such transfer.* The United States, in a brief filed at our request, suggests that this provision of the decree would probably also disqualify WOW from "applying for a new license to operate a radio station in Omaha on the same frequency, should it become equipped to do so." To be sure, the Communications Commission's power of granting, revoking and transferring licenses involves proper application of those criteria that determine "public convenience, interest, or necessity". But insofar as the Nebraska decree orders the parties "to do all things necessary" to secure the return of the license it hampers the freedom of the Society not to continue in broadcasting and to restrict itself, as it properly may, to its insurance business. Equally does it prevent WOW from opposing a return to the Society, or, as the United States suggests, from seeking another license of its own. These are restrictions not merely upon the private rights of parties as to whom a State court may make appropriate findings of fraud. They are restrictions upon the licensing system which Congress established. It disregards practicalities to deny that, by controlling the conduct of parties before the Communications Commission, the court below reached beyond the immediate controversy and into matters that do not belong to it.

The most troublesome question raised by this case remains. While the decree of the State court concerning the transfer of the leasehold is, in view of the pleadings, not here as an independent question, due consideration of the federal question relating to the transfer of the license makes it proper to consider the bearing of a decree ordering an immediate transfer of the leasehold upon the status of the radio license. A proper regard for the implications of the policy that permeates the Communications Act makes disposition of licensed facilities prior to action by the Communications Commission a subsidiary issue to the license question. *We have no doubt of the power of the Nebraska court to adjudicate, and conclusively, the claim of fraud in the transfer of the station by the Society to WOW and upon finding fraud to direct a reconveyance of the lease to the Society. And this, even though the property consists of licensed facilities and the Society chooses not to apply for retransfer of the radio license to it, or the Commission, upon such application, refuses the retransfer.* The result may well be the termination of a broadcasting station. The Communications Act does not explicitly deal with this problem, and we find nothing in its interstices that dislodges the power of the States to deal with fraud merely because licensed facilities are involved. The "public interest" with which the Commission is charged is that involved in granting licenses. Safeguarding of that interest can hardly imply that the interest of States in enforcing their laws against fraud have been nullified insofar as licensed facilities may be the instruments of fraud.

On the other hand, if the State's power over fraud can be effectively respected while at the same time reasonable opportunity is afforded for the protection of that public interest which led to the granting of a license, the principle of fair accommodation between State and federal authority, where the powers of the two intersect, should be observed. Severance of the licensed facilities from the license so precipitously that the Federal Communications Commission is deprived of the opportunity of enabling the two to be kept together needlessly disables the Commission from protecting the public interest committed to its charge. This presents a practical and not a hypothetical situation. To carry out abruptly a State decree separating licensed facilities from the license deprives the public of those advantages of broadcasting which presumably led the Commission to grant a license. To be sure, such a license is merely a permit to serve the public and not a duty to do so. Therefore, as we have concluded, the State has not been deprived by federal legislation of the practical power

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to terminate the broadcasting service by a proper adjudication separating the physical property from the license. *We think that State power is amply respected if it is qualified merely to the extent of requiring it to withhold execution of that portion of its decree requiring retransfer of the physical properties until steps are ordered to be taken, with all deliberate speed, to enable the Commission to deal with new applications in connection with the station.* Of course, the question of fraud adjudicated by the State court will no longer be open insofar as it bears upon the reliability as licensee of any of the parties.

New situations call for new adaptation of judicial remedies. We have had occasion to limit the conceded jurisdiction of the federal courts in order to give State courts opportunity to pass authoritatively on State issues involved in federal litigation. See, *e.g., Spector Motor Co.* v. *McLaughlin*, 323 U. S. 101. It will give full play both to the powers that belong to the States and those that are entrusted to the Federal Communications Commission, where the two are intertwined as they are here, to enforce the accommodation we have formulated.

Accordingly *the judgment is reversed* and the cause remanded for further proceedings in conformity with this opinion.

Mr. Justice DOUGLAS concurs in the result.

Mr. Justice ROBERTS is of the opinion that the judgment should be affirmed.

Mr. Justice BLACK took no part in the consideration of this case.

Mr. Justice JACKSON, dissenting.

I am unable to agree with the Court's disposition of this case and will indicate briefly the reason.

Petitioner is incorporated under the laws of Nebraska and operates a radio station owned by the Woodmen of the World, an insurance society also organized under the laws of Nebraska. It is clear that the State of Nebraska has plenary power over the internal affairs of both of these corporations.

The Woodmen of the World, in addition to its insurance business, went into the radio business through radio station WOW. It became involved in controversies and eventually decided that it ought to get out of the radio operation.

From 1923 to 1928, it had carried the radio station at a loss but its net average earnings from 1936 to 1942 were $194,724.14 per year. The property and facilities of the corporation were leased to a new corporation in 1942 for $74,000.00 per year. The new corporation consisted of organizers whom the Court found sustained such a relation to the President of the insurance company who managed the negotiations on its behalf that the transfer constituted a constructive fraud on policy holders. It ordered that the transaction be undone and complete restitution be made. I take it that this judgment was fully within the competence of the State.

Meanwhile, the transferees had obtained approval of the Federal Communications Commission of the transfer of the license to them. Because of this, it is claimed that in some way the power of the State to undo this transaction is limited. Certainly no power has been conferred on the Federal Communications Commission to hear, try or determine the case of fraud between Nebraska stockholders and the officers of Nebraska corporations. The Commission has, of course, powers to look after the public interest in the transfer of stations.

There is possibility of conflict between the judgment rendered by the state court of Nebraska and the Federal Communications Commission and this possibility of conflict leads to the decision of the Court today. That conflict can occur only if the Federal Communications Commission shall hold that the federal public interest requires this radio station to be kept in the hands of those who are adjudged to be guilty of fraud and that the public interest cannot be served by those who have been adjudged to have been victims of that fraud although they had operated the station for many years with success and without any question as to the public interest. If the Communications Commission should render such a decision by refusing to retransfer the license in accordance with the judgment we would then have a question as to the faith and credit due the state court judgment and its effects in an administrative tribunal. I would deal with that sort of question not hypothetically, but when it arises and upon the record which is made before the Communications Commission.

But even if the Commission should decide that the federal interest requires this station to be operated by those who have obtained it by constructive fraud, I think the judgment of the state court of Nebraska would still be good. It has the power not only to compel restitution of property obtained from its corporations in violation of its laws but if by federal proceedings or otherwise the wrong doers have put some part of the value of this station beyond their power to recapture, the State has the right to compel them to account for its value. The State, it seems to me, has the right to strip the wrongdoers of every fruit of the wrong including the value of the federal license even if the license itself cannot be obtained.

For these reasons, I would affirm the judgment of the Nebraska courts and leave the problem of conflict to be dealt with when and if it arises.

WHIO EXECUTIVE DIES

Dayton, Ohio—Richard Brant Mead, for nearly forty years an executive in the James M. Cox organization and at the time of his death Secretary and Treasurer of the Miami Valley Broadcasting Company, operators of WHIO, died here June fifteenth.

Mr. Mead was also Secretary and Treasurer of other Cox interests including the Evening News Co., Dayton, and the Springfield Newspapers, Inc., of Springfield.

RED CROSS CITES INDUSTRY

The American Red Cross has again bestowed upon the National Association of Broadcasters, as representative of the radio industry, a Certificate of Honor for the distinguished achievements in the 1945 War Fund. The Certificate is issued in recognition of the services rendered by members of NAB in scheduling War Fund transcriptions and programs.

NBC CONTRACT REVISION O.Kd.

The Federal Communications Commission has made public the following letter regarding a proposed revision of NBC form of affiliation agreement for standard broadcast stations:

"National Broadcasting Company, Inc.
RCA Building, Radio City
New York 20, New York

Gentlemen:

"Receipt is acknowledged of your letter of May 18, 1945, setting forth the following provision which you intend to include in your affiliation contracts:

"'(2) From time to time you may desire to sell to us and we may desire to purchase from you specific periods of time, during hours other than those designated as network optional time, for the broadcasting of a particular series of network commercial programs for a designated advertiser. In the event such sale is consummated it is understood and agreed that, subject to our 28-day right of cancellation provided for in Paragraph (5) of Section III, you shall broadcast such series of programs for the duration of our commitment to deliver your station to such advertiser but in no instance shall you be so obligated for more than 52 weeks. We shall advise you of the expiration date of our initial commitment and of each renewal commitment subsequently made for your station to such advertiser and you shall notify us at least 35 days prior to each such date in the event you do not desire to broadcast a continuation of said series of programs. In the event you fail to so notify us we shall consider your station to be available for the immediately following renewal term of not more than 52 weeks should such advertiser elect to continue said series of programs over your station.

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Except as expressly provided to the contrary in this paragraph. your use and the broadcasting of such programs shall be subject to all the terms and conditions of this contract.'

"You request the Commission's opinion as to whether the foregoing provision is in conformity with the Commission's chain broadcasting regulations.

"The Commission has determined that the provision in question is not in contravention of the chain broadcasting regulations.

Very truly yours,

T. J. Slowie,
Secretary."

FORMER MANAGER HEARS OWN GLOBAL SHOW

When A. E. Spokes, WJTN, Task Force Commander, produced the Jamestown, N. Y., "Let's Go to Town" show, he had little hope that it would be heard by the station's former manager. But the very first letter verifying reception came from no other than "Manager" Si Goldman, now U. S. Army Corporal in Germany.

Si was doing his regular stretch as telephone operator when American Forces Network brought him the Jamestown home town show.

"It was a swell show," wrote Si. "Everyone did a super job. What a grand feeling to hear all those familiar voices and the organist from Hotel Jamestown."

PRICE EXTOLS FREE RADIO AND PRESS

Byron Price, Director of the Office of Censorship, made a strong plea for freedom of radio and the press in an address delivered before the Board of Editors of the Public Opinion Quarterly at Princeton, New Jersey, on June 13. Following is complete text of Mr. Price's remarks:

"Under a government by the people, the virility and general health of public opinion must be an object of perpetual concern to all good citizens. Under such a government, public opinion is no less than the bloodstream of the body politic. If the heartbeat weakens, if indolence or infection appears, the resulting agonies cannot fail to wrack the nation itself. Whoever keeps public opinion under the microscope, analyzes its tempo and questions every sign of malady, performs a paramount public service. In a sense even more significant than that sung by the poet, the proper study of mankind governing himself is always man.

"It need not discourage us that the doctors do not always agree either as to the symptoms or the cure. That also is the way of democracy, and surely it is preferable to a system under which one dictator makes all the diagnoses and writes all the prescriptions. The freshly-made graves of two European powers and the dying convulsions of their totalitarian colleague in Asia testify amply to the results attained by that school of medicine.

"By comparison, at least, this American democracy is doing very well indeed, even though we are not exactly free of cares and worries. Government by popular will attains its maximum stature only when it rests on a public opinion which is not only free, but is also informed and intelligent; and I know some are worried over the present level of our public information and public thinking. We were all shocked a couple of years ago when the New York *Times* informed us of the great vacuum of historical knowledge existing among college freshmen. We get a jolt now and then when we listen to the quiz programs or read in one of Dr. Gallup's surveys, in the midst of a national campaign, that nearly half the voters have forgotten the names of both vice-presidential nominees. It was not many years ago that one of the highest officials of the Federal Government told a voter he was 'too damn dumb' to understand public issues.

"Of such testimony we cannot be proud. Yet there is good cause to refuse to share the misgivings of the pessimists. I do not believe that in the aggregate the American citizen is dumb or badly informed. Surely, neither ignorant guesswork nor clairvoyance alone could have brought the nation safely through one great crisis after another from the day of its birth. We have our shortcomings, as have all nations; but let it be recognized that the balance is heavily on the side of credit. There is room to doubt whether the election returns last November would have been changed appreciably if every voter had kept the names of Governor Bricker and Senator Truman on the tip of his tongue. And as for the college freshmen of 1943, and their reliability as citizens, have they not written on the world's battlefields a glorious and even immortal answer to all our questionings?

"It is only the perfectionist who expects every American to be a model for Utopia. We are a race, not of angels, but of men. When the whole story of our national eminence is told, and the issues decided wrongly by popular will are set opposite those decided rightly, the sum is an almost fabulous record of progress and attainment. We need not speak apologetically of public opinion in the United States. If we speak of it truly and understandingly, we shall speak proudly and confidently.

"This is not to say that there is no need to be diligent in protecting what we have, and seeking always for improvement. Because in a democracy public opinion holds the power of life and death over public issues and public men, we must do what we can to raise the level of public opinion ever higher; for the best is none too good. What can we do? I would like to suggest four requisites:

"1. Preservation of a free but responsible press and radio, devoted to the exact truth and to public service.

"2. Organized aid to public understanding, through schools and other agencies, so that the individual will know better how to read and listen capably.

"3. Acceptance of increased personal responsibility for public policy, on the part of individual citizens, not only on election day but through constant attention to public issues.

"4. A willingness on the part of public men to live in glass houses, to seek advice and accept it judicially, and to answer inquiries by explaining reasons, rather than by merely enclosing a copy of a regulation.

"The first of these four requirements needs no advocacy. It is axiomatic that no public opinion of value can exist in a democracy without freedom of expression, including freedom to print. It is equally indisputable that public expression must be responsible expression if the ends of democracy are to be served, and that information must be placed before the public in clear and understandable words if the level of public opinion is to be elevated.

"Yet, this is not always easy. What city editor has not had the experience of intensively interviewing his own reporters so that he might understand an obscure or ambiguous passage, and reword it for the reader? Here again, due to human limitations, we never can hope for perfection. You may recall the passage from Arlo Bates: 'Bob, thinking of Betty, remarks to Jack that he does admire a pretty girl; and Jack, fondly recalling the features of Jane, receives the idea with all the variations which belong to an altogether different idea of feminine loveliness.' And again: 'No man has written much and written earnestly without experiencing moments of complete despair in regard to being able to convey to his readers what it is in his heart to say.'

"This is a problem which deserves more than the casual attention it frequently receives. The fact is that far too often, somewhere along the way, the thread of understanding between writer and reader, or between speaker and listener, breaks of its own weight. Much of the trouble may be put down to indifferent reading and listening; but still let the writer and speaker also beware. No matter where the blame, he who seeks to impart information has wasted time and effort unless the goods arrive in good condition at their destination. If they do not, the effort to improve public comprehension has failed at the point of its beginning.

"The second requirement is that when the goods do arrive, the consignee be in a position to receive them. Jefferson wrote to Yancey, '. . . where the press is free and every man able to read, all is safe.' But we may be quite sure that the father of the University of Virginia

(Continued on next page)

would insist on placing his own definition on the words 'able to read.' We may be sure he was not speaking merely of literacy. How often we hear it said: 'The newspaper certainly missed it today on the weather!' Nor would the case be so bad if the harassed editor had only to take the blame for the misjudgments of the Weather Bureau. Every day in a multiplicity of matters, great and small, he finds himself misunderstood, misquoted, and in the end maligned by careless and indifferent readers.

"In his present-day classic 'How to Read a Book,' Mortimer J. Adler has illuminated brilliantly—for those who can read—the pathway to understanding of the printed word. It is a pity he did not give more specialized attention to the proper reading of newspapers and magazines, and add a chapter also on listening to broadcasts. A comparatively small investment in that area could not fail to produce a large return in the stimulation of public understanding.

"The effort to promote better reading and listening, as a sure step toward a higher level of public opinion, should be an organized effort. I am not speaking now of classes in current affairs, or forums and round-tables. I mean organized instruction in the art of understanding definitely and exactly what the newspapers and the broadcasters are saying. It should not be difficult for schools and colleges to teach their students what the differences are—and they are basic differences—between news items, editorials, and newspaper or radio commentaries; to distinguish clearly whether a thing is stated as a fact, or as a quoted opinion; to read and listen, as Bacon recommended, 'not to contradict and confute; not to believe and take for granted; . . . but to weigh and consider.'

"If we grant that the purpose of education is to produce better citizens, then the place of such instruction as this in all of our schools cannot be exaggerated. Carlyle perceived this long ago when he said that 'all that a university . . . can do for us still is what the first school began—teach us to read.' Yet how many who rate themselves 'educated' are still today badly and often dangerously mixed in their facts because they have not really learned to read and listen.

"In the cultivation of better reading and listening the newspapers and the radio can themselves provide leadership to their own great advantage, as well as to the inestimable benefit of their country. The motion picture is fully capable of adding a third dimension by instructing its audiences how to observe. Nor is there a civic organization anywhere which could not well afford to give to this effort a part of the attention it now bestows on matters of less consequence to the welfare of community and nation. If we are to have a better informed public opinion in the troubled days ahead—and the need for the best cannot be denied—then the ordinary citizen must have the help which by united endeavor can be so easily provided.

"The third requirement for a higher level of public opinion rests on the individual himself. This he must do for his own salvation. He must take an interest in reading and listening, and he will be encouraged to do so if he has received the help he needs. He must be vocal. He must let his government know if he disagrees with its policy, not merely grumble to himself and to his neighbors. He must try to understand as many of the issues as possible and receive with an open mind, but not gullibly, what he reads and hears. And he must vote; for it is at the ballot box alone that public opinion comes to its final and triumphant usefulness. All of this also has been said many times before. It must continue to be said as long as the nation stands.

"There still is a fourth requirement, and it rests inescapably on the public official, high or low. Democratic governments which lose the common touch cease speedily to be democratic governments. The public official must work in the open if he is to contribute his part to the formation of sound public opinion. Not only his policies and his decisions, but the reasons for them, must be regarded as essentially public property. He must keep himself in a position to reply promptly and in understandable words when he is asked for information. He must think of himself for what he is, a public servant. He need not be timid or obsequious, but unless he really serves, he is not a good servant.

"In brief, public officials discharge their duties in the scheme of our democratic system only if they take the very broadest view of their public relations. This is a topic about which books could be written, but so much is self-evident: The effective conduct of public relations does not consist in hiring a good press agent. Every official act is public relations, and good administration is in itself the best brand of public relations. Every visitor, every letter is public relations. The most enterprising press agent this side of Heaven cannot save from a just public wrath the official who does his thinking in the closet, and neglects the golden opportunity of contact and discussion with the people, who are the authors and progenitors of public opinion.

"Taken together, the four objectives I have outlined contemplate a unity of effort and accomplishment which in itself is essentially democratic. Attainment of these objectives will not cure overnight all of the shortcomings of the human society. But it will help."

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings and scheduled to be heard before the Commission during the week beginning Monday, June 25. They are subject to change.

Monday, June 25

KJR—Fisher's Blend Station, Inc., Assignor; Birt F. Fisher, Assignee; Seattle, Wash.—Voluntary assignment of license of Station KJR and relay station KEGR; **950 kc.**, 5 KW (main), DA-night, 1 KW (auxiliary), unlimited.

Wednesday, June 27

WINS—Hearst Radio, Inc., Assignor; The Crosley Corporation, Assignee; New York, N. Y.—Voluntary assignment of license and construction permit.

Federal Communications Commission Action

APPLICATIONS GRANTED

KOIL—Charles T. Stuart and James Stuart (transferors), Stuart Investment Company (transferee), Central States Broadcasting Co. (licensee), Omaha, Neb.—Granted consent to voluntary transfer of control of Central States Broadcasting Co., licensee of station KOIL, from Charles T. Stuart and James Stuart to Stuart Investment Company. Transferors will exchange all outstanding capital stock of licensees of station KFOR (1000 shares) and Station KOIL (1000 shares); and transferee to deliver to transferors 2350 shares of its unissued common stock, each transferor to receive 50%. (B4-TC-433)

KFOR—Charles T. Stuart and James Stuart (transferors), Stuart Investment Company (transferee), Cornbelt Broadcasting Corp. (licensee), Lincoln, Neb.—Granted consent to voluntary transfer of control of Cornbelt Broadcasting Corp., licensee of station KFOR, from Charles T. Stuart and James Stuart to Stuart Investment Co. (B4-TC-432)

KSWO—Byrne Ross and R. H. Drewry, d/b as KSWO Broadcasting Co. (assignor), Oklahoma Quality Broadcasting Company, a co-partnership composed of R. H. Drewry, et al. (assignees), Lawton, Okla.—Granted consent to volun-

(Continued on next page)

tary assignment of license of station KSWO from Byrne Ross and R. H. Drewry, d/b as KSWO Broadcasting Co., to Oklahoma Quality Broadcasting Co., a co-partnership, composed of R. H. Drewry, J. R. Montgomery, Ted R. Warkentin and Robert P. Scott, a newly formed partnership. Byrne Ross is to be paid $35,000 for his 50% interest in the assignor partnership and give R. H. Drewry a 53.5% interest in assignee for his 50% interest in assignor, plus payment by Drewry of $2,555 to the assignee. (B3-AL-490)

Evangelistic Mission, Pontiac, Mich.—Granted extension of permit under Sec. 325 (b) of the Communications Act to transmit programs to Canadian Station CKLW, Windsor, Ontario, Canada.

Scripps-Howard Radio, Inc., Cincinnati, Ohio—Granted construction permit for new relay broadcast station to be used with standard station WCPO; frequencies **31220, 35620, 37020, 39260 kc.**, 10 watts.

W2XJT—William B. Still tr/as Jamaica Radio Television Co., Jamaica, L. I., New York—Granted modification of exp. television station CP conditionally, for extension of completion date only, from 6-30-45 to 8-31-45.

W2XMT—Metropolitan Television, Inc., New York City—Granted modification of construction permit for new experimental television station granted conditionally, for extension of completion date only, from 6-30-45 to 9-30-45.

WEHS—WHFC, Inc., Chicago, Ill.—Granted modification of construction permit authorizing new FM broadcast station, for extension of completion date only from 7-8-45 to 10-8-45.

W3XMB—Maryland Broadcasting Co., Baltimore, Md.—Granted modification of construction permit for new developmental broadcast station, for extension of completion date from 6-30-45 to 8-22-45.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—Granted license to cover construction permit which authorized change in frequency and change in class of station from temporary Class 2 experimental high frequency to developmental broadcast station, upon condition that it is subject to change or cancellation by the Commission at any time without advance notice or hearing if in its discretion the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of this station on the frequency authorized is or will be in the public interest beyond the express terms hereof; frequency of **43.5 mc.** and other frequencies that may be assigned by the Comm. from time to time; 1 KW.

DESIGNATED FOR HEARING

Frederic Le Mieux, 3rd, and Mrs. Edna Capo Le Mieux, d/b as Teche Broadcasting Co., New Iberia, La.; and George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Co., New Iberia, La.—Designated for consolidated hearing with application of New Iberia Broadcasting Company application of Teche Broadcasting Co., both applicants requesting frequency of **1240 kc.**, 250 watts, unlimited time.

LICENSE RENEWALS

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah—Granted renewal of license for the period ending February 1, 1947 (Comr. Durr voting for further inquiry).

KWJJ—KWJJ Broadcast Company, Inc., Portland, Ore.—Granted renewal of license for the period ending May 1, 1948.

KSWO—Byrne Ross and R. H. Drewry, d/b as KSWO Broadcasting Co., Lawton, Okla.—Granted renewal of license for the period ending May 1, 1947.

MISCELLANEOUS

Fred O. Grimwood, Bloomington, Ind.—Granted motion to continue hearing on application for construction permit for new station, now scheduled for June 20, and continued hearing to July 24, 1945. (Docket 6753)

WMC—Memphis Publishing Co., Memphis, Tenn.—On the Commission's own motion, continued hearing on application for renewal of license, now scheduled for June 21, to July 23, 1945. (Docket 6610)

Richard W. Joy and Donald C. McBain, d/b as Palm Springs Broadcasting Co., Palm Springs, Calif.—Adopted memorandum opinion granting application for a new station to operate on **1340 kc.**, 250 watts, unlimited time; conditions.

Corinth Broadcasting Company, Inc., Corinth, Miss.—Adopted memorandum opinion and order granting petition for reconsideration and grant of its application for construction permit; and ordered that the application be granted conditionally for a new station to operate on **1230 kc.**, 250 watts, unlimited time.

The following applications for new high frequency FM broadcast stations were placed in the pending file in accordance with the Commission's policy of February 23, 1943:

Pacific Radio Advertising Service, Portland, Ore.; Miami Valley Broadcasting Corp., Dayton, Ohio; Midwest FM Network, Inc., Fort Wayne, Ind., Grand Rapids, Mich., and Peoria, Ill.

James E. Lambeth, et al., d/b as Radio Station WMFR, High Point, N. C.—Retained in the pending files amended application for new high frequency FM broadcast station.

WSAU—Northern Broadcasting Co., Inc., Wausau, Wisc.—Granted petition for leave to intervene in the hearing on application of WREN for construction permit to move transmitter and studio, increase night power from 1 to 5 KW and install directional antenna.

Fisher's Blend Station, Inc., assignor, Birt F. Fisher, assignee, Seattle, Wash.—Granted motion for continuance of hearing on application for voluntary assignment of license of station KJR and relay station KEGR, now scheduled for June 25, and continued same to July 25, 1945.

APPLICATIONS FILED AT FCC

560 Kilocycles

WQAM—Miami Broadcasting Co., Miami, Fla.—Construction permit to make changes in antenna system.

570 Kilocycles

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—License to cover construction permit (B1-P-3640) which authorized changes in directional antenna for daytime.

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Authority to determine operating power by direct measurement of antenna power.

590 Kilocycles

WMBS—Fayette Broadcasting Corp., Uniontown, Pa.—Authority to determine operating power by direct measurement of antenna power.

620 Kilocycles

WKAQ—Radio Corporation of Puerto Rico, San Juan, P. R.—License to cover construction permit (B-P-3501), as modified, which authorized move of auxiliary transmitter to new site of main transmitter.

WKAQ—Radio Corporation of Puerto Rico, San Juan, P. R.—Determine operating power by direct measurement of antenna power.

680 Kilocycles

NEW—The Alamo Broadcasting Co., Inc., San Antonio, Texas—Modification of construction permit (B3-P-3599, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and change in transmitter location) for changes in transmitting equipment and extension of completion date from 7-13-45 to 60 days from date of grant.

890 Kilocycles

WHNC—Henderson Radio Corp., Henderson, N. C.—License to cover construction (B3-P-3641) as modified, which authorized a new standard broadcast station.

WHNC—Henderson Radio Corp., Henderson, N. C.—Authority to determine operating power by direct measurement of antenna power.

(Continued on next page)

1240 Kilocycles

WATT—Midwestern Broadcasting Co., Cadillac, Mich.—Modification of construction permit (B2-P-3810, which authorized a new standard broadcast station) for change in transmitter location.

1340 Kilocycles

WBAC—Robert W. Rounsaville, Cleveland, Tenn.—License to cover construction (B3-P-3689) for a new standard broadcast station.

WBAC—Robert W. Rounsaville, Cleveland, Tenn.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—Unity Corporation, Inc., Lima, Ohio (P. O. 1014 Edison Bldg., Toledo, Ohio)—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.9 mc.**, with coverage of 5,920 square miles.

NEW—Eastern States Broadcasting Corp., near Bridgeton, N. J. (P. O. Carll's Corner, Bridgeton, N. J.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be selected in the **95 mc.** band, with coverage of 9,900 square miles.

TELEVISION APPLICATIONS

NEW—Central Ohio Broadcasting Co., Columbus, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #8 **(162-168 mc.)**, with ESR of 160. Amended: to change frequency to **186-192 mc.** as proposed in reallocation.

NEW—Filene's Television, Inc., Boston, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel #7 **(102 to 108 mc.)**, with ESR of 3160. Amended: to change frequency to Channel #9 **(192-198 mc.)** as proposed in reallocation.

NEW—Allen B. DuMont Laboratories, Inc., area of New York, N. Y.—Construction permit for a new experimental television relay broadcast station to be operated on experimental band **480-920 mc.** to be determined by Chief Engineer, with visual power of 1 KW peak and aural power of 1 KW, and emission of A-5 for visual and A3, special for FM or other experimental sound.

NEW—Cincinnati Broadcasting Co., Cincinnati, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #7 **(102-108 mc.)**, with ESR of 3940. Amended: to change frequency to Channel #9 **(192-198 mc.)** as proposed in reallocation.

W9XZC—Zenith Radio Corp., Chicago, Ill.—Modification of construction permit (B4-PVB-125, which authorized a new experimental television broadcast station) for extension of completion date from 8-19-45 to 2-19-46.

NEW—Hearst Radio, Inc., Milwaukee, Wis. (P. O. 25 W. 43rd St., New York, N. Y.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4 **(78-84 mc.)**, with ESR of 1111.

MISCELLANEOUS APPLICATIONS

NEW—Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College, Baton Rouge, La.—Construction permit for a new non-commercial educational broadcast station to be operated on **43.9 mc.**, with power of 3 KW, and frequency modulation emission.

WJWC—J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co., area of Columbus, Ga.—Construction permit for reinstatement of B3-PRY-442 which authorized a new relay broadcast station.

KCBR—Columbia Broadcasting System, Inc., Delano, Calif.—License to cover construction permit (B5-PIB-62) which authorized a new international broadcast station.

NEW—National Broadcasting Co., Inc., Cleveland, Ohio (P. O. RCA Frequency Bureau, 60 Broad St., New York, N. Y.)—Construction permit for a new relay broadcast station to be operated on **1606, 2074, 2102, 2758 kc.**, with power of 150 watts, and A1, A2, and A3 emission.

NEW—Georgia School of Technology, area of Atlanta, Ga. (P. O. Box 674)—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190,** and **2830 kc.**, with power of 150 watts and A3 (special) emission. Amended: to change emission from A3 (special) to A3.

NEW—Stanley G. Boynton, Highland Park, Mich.—Extension of authority to transmit programs to CKLW, Windsor, Ontario, Canada, from Highland Park Baptist Church, each Sunday evening from 8 to 8:30 p. m., EST.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Athenson & Passin, Inc.—A complaint has been issued charging Athenson & Passin, Inc., 330 Seventh Ave., New York, manufacturer of fur garments, with misrepresenting certain products as being made of leopard peltries. (5334)

J. V. Blevins Brokerage Co.—Violation of the brokerage section of the Robinson-Patman Act is alleged in a complaint against James V. Blevins, trading as J. V. Blevins Co. and J. V. Blevins Brokerage Co., 155 Second Ave. S., Nashville, Tenn. The respondent is engaged in business as both a broker and a direct buyer of food products, turpentine, mineral oil, cottonseed oil, linseed oil and other merchandise. He also is engaged in business with Horace Norrell at Trussville, Ala., under the firm name of Blevins & Norrell Co. (5333)

Cohn-Hall-Marx Co.—Deception of the public as to the qualities and fiber content of fabrics designated "Cohama Nylon Fleece" and "Cohama's Super Rayon Lambskin" is alleged in a complaint issued against Cohn-Hall-Marx Co., 1412 Broadway, New York. (5335)

Shepherd Knit-Wear Co., Inc., 48 West 38th St., New York, manufacturer of knitted garments, is charged in a complaint with misrepresenting the country of origin and fiber content of sweaters. (5336)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Casite Corp., Hastings, Mich., entered into a stipulation in which it agrees to stop representing that its preparation Casite, advertised for use as an additive to crankcase oil, will cause an automobile to start as readily in winter as in summer, or as easily in cold weather as in warm weather; that the product prevents oil from acting as a brake on the motor in winter; or that at winter temperatures the viscosity of oil to which the preparation has been added is comparable to that of oil of like grade at summer temperatures to which it has not been added. (4076)

Dermatological Products Corp., trading as Glenn Products Co., 110 Observer Highway, Hoboken, N. J., and Samuel Thomas,

(Continued on next page)

Maurice C. Thomas and Philip C. Thomas, stipulated that they will discontinue misrepresenting the therapeutic properties of a medicated salve designated as Dr. Thomas' Ointment. The individual respondents are associated with the corporation in the manufacture of pharmaceutical products. (4074)

Helwig & Leitch, Inc., 101 North Haven St., Baltimore, manufacturer of household ammonia, has entered into a stipulation to discontinue using the statement, "This Ammonia is Extra Strength. Use Smaller Quantity Than Usual," in referring to its Majestic brand of ammonia. (4073)

Multi-Packer Distributing Co., and **Multi-Packer Manufacturing Corp.,** both of 6319 San Fernando Road, Glendale, Calif., entered into a stipulation to cease and desist from certain representations in connection with the sale of the "Multi-Packer," a machine designed for use in counting and packaging pills, capsules, tablets and like pharmaceutical products. (4077)

Remnant Shop, Sesser, Ill., entered into a stipulation to discontinue certain misrepresentations in connection with the sale of quilt pieces which he processes from remnants purchased from textile mills and junk dealers. (4072)

Sears, Roebuck & Co., Chicago, stipulated that it will cease and desist from representing or designating the tube capacity of radio receiving sets as being greater than the number of tubes which perform the recognized and customary functions of radio tubes in the detection, amplification and reception of radio signals. (03290)

FTC COMPLAINTS DISMISSED

A complaint alleging misrepresentation in the sale of a medicinal preparation designated "Rest-Eez" has been dismissed by the Federal Trade Commission as to one of the respondents, Jan Rozendaal, 10 Rockefeller Plaza, New York. The other respondents named in the complaint are Frederick Latter and George D. Boinet, trading as Ter-O-Sul Products Co., Inc., and as Decimal Chemical Co., 18 East 17th St., New York. Boinet is trustee of the creditors of Ray Forest, who formerly operated the business.

The Commission denied a motion filed by Boinet to dismiss the complaint as to him or, in the alternative, to suspend hearings pending the discharge of Ray Forest from the military service.

Upon motions of the respondents, the Commission has dismissed its complaint charging Roofer Manufacturers' Association, Inc., Cuthbert, Ga., and New Jersey Lumbermen's Association, Inc., Newark, N. J., with misrepresenting the grade and dimensions of soft wood lumber products known as roofers.

The complaint also was directed against the members and officers of the two associations and certain independent lumber dealers in the States of New York and New Jersey.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 26, June 29, 1945

NAB CODE PROVISION JEOPARDIZED

A decision of far-reaching importance to the broadcast industry was handed down by the Federal Communications Commission on Tuesday (26). The Decision and Order in the United Broadcasting Company (WHKC) case, which we print in full, jeopardizes the provisions of the NAB Code dealing with Controversial Public Issues and Membership Solicitation. The specific language of the Commission is: "The Commission, however, is of the opinion that the operation of any station under the extreme principles that no time shall be sold for the discussion of controversial public issues and that only charitable organizations and certain commercial interests may solicit memberships is inconsistent with the concept of public interest established by the Communications Act as the criterion of radio regulation."

This decision of the FCC may well undermine the effectiveness of the industry's attempt to institute a program of self-regulation, in so far as it relates to public issues of a controversial nature and membership solicitation.

The Commission observes that it is the duty of each station licensee to make sufficient time available "on a non-discriminatory basis" for full discussion of problems of public concern. This view is consistent with and in no sense contrary to that embodied in the Code since that document imposes upon each individual broadcaster the obligation of making time available without charge—which is clearly "on a non-discriminatory basis"—for the discussion of issues of a controversial character. The Commission's opinion "that the operation of any station under the extreme principles that no time shall be sold for the discussion of controversial public issues and that only charitable organizations and certain commercial interests may solicit membership is inconsistent with the concept of public interest * * *" appears to take issue with the Code recommendation. This development poses a problem of deep importance to every person in the industry.

The full text of the Decision and Order follows:

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington 25, D. C.

Docket No. 6631

In re UNITED BROADCASTING COMPANY (WHKC),
COLUMBUS, OHIO

DECISION AND ORDER

BY THE COMMISSION:

1. The Commission has before it a joint motion filed by the International Union, United Automobile, Aircraft and Agricultural Implement Workers of America, affiliated with the Congress of Industrial Organizations and Local 927, UAW-CIO, Columbus, Ohio (herein called the "UAW-CIO" or the petitioner), and the United Broadcasting Company, licensee of Station WHKC (herein called the licensee), requesting the Commission to adopt a Statement of Policy which has been agreed upon by the parties, and to enter an order dismissing the proceedings.

2. The background of this matter may be set forth as follows: On June 2, 1944, the UAW-CIO filed a petition directed against the Commission's action granting the application of the licensee for renewal of license for operation of Station WHKC. The petition alleged that the licensee was throttling free speech and was therefore not operating in the public interest for the following reasons:

(a) The station had a policy not to permit the sale of time for programs which solicit memberships, discuss controversial subjects, race, religion, and politics.

(b) The station did not apply this practice uniformly, but on the contrary applied that policy "strictly to those with whom the management of Station WHKC disagrees, including petitioners, and loosely or not at all with respect to others."

(c) The station unfairly censored scripts submitted by petitioners.

Upon consideration of this petition and an opposition thereto filed by the licensee, the Commission designated the petition for hearing, and pursuant to the provisions of Sections 308(b) and 312(a) of the Communications Act of 1934, as amended, directed the station licensee to file with the Commission on or before the 5th day of August, 1944, a Statement of Fact concerning the operation of WHKC with particular reference to the allegations of the petition and as to whether the station had been operated in the public interest. The Commission further directed the licensee to be prepared at said hearing to offer evidence in support of its Statement of Fact. Pursuant to the Commission's action, the licensee filed its Statement of Fact and a hearing was held before a member of the Commission from August 16 through August 24, 1944.

3. The evidence adduced at the hearing showed that the station's policy upon which the petition was predicated was governed by the provisions of the Code of the National Association of Broadcasters. The Code is a voluntary one without legal effect upon the members of the National Association of Broadcasters. The purpose of the Code as stated in its foreword is "to formulate basic standards" for the guidance of broadcasters. At pages 3 and 4 it provides that no time shall be sold for the presentation of public controversial issues, with the exception of political broadcasts and the public forum type of programs; and that solicitation of memberships in organizations, whether on paid or free time, should not be permitted except for charitable organizations, such as the American Red Cross and "except where such memberships are incidental to the rendering of commercial services, such as an insurance plan either in respect to casualty, to life, or to property."

4. On October 20, 1944, the petitioner and the licensee filed the instant joint motion which contained the following agreed statement:

> "The record of the hearing discloses that Station WHKC in the past had pursued a policy which it believed to be in the best interests of the public and at no time did the station believe that the application of this policy was contrary to the interests of labor. The record testimony further discloses that at the time of the hearing the station enunciated a revised policy which it had adopted prior to the hearing and which it intends to follow in the future. This policy is as follows:

(Continued on next page)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

"(a) It will be the future policy of Station WHKC to consider each request for time solely on its individual merits without discriminations and without prejudice because of the identity of the personality of the individual, corporation, or organization desiring such time.

"(b) With respect to public issues of a controversial nature, the station's policy will be one of open-mindedness and impartiality. Requests of all individuals, groups, or organizations will of necessity have to be considered in the light of the contribution which their use of time would make toward a well-balanced program schedule, which the station will try at all times to maintain in the interest of the people it serves.

"(c) Station WHKC will make time available, primarily on a sustaining basis, but also on a commercial basis, for the full and free discussion of issues of public importance, including controversial issues, and dramatizations thereof, in order that broadcasting may achieve its full possibilities as a significant medium for the dissemination of news, ideas, and opinions. And, in doing so, there will be no discrimination between business concerns and non-profit organizations either in making time available or restricting the use of such time. Non-profit organizations will have the right to purchase time for solicitation of memberships.

"(d) Station WHKC will, if it refuses time for public discussion, do so in writing showing reasons for such denial to the extent that requests for time are made in writing.

"(e) The censorship of scripts is an evil repugnant to the American tradition of free speech and a free press, whether enforced by a government agency or by a private radio station licensee. Broadcasts by candidates for public office may not be censored under the law. But as to all other broadcasts, Station WHKC will not censor scripts, or delete any matter contained in them, except for reasons which it believes to be in accordance with the law and existing regulations as set forth in its Statement of Policy and as explained and interpreted in the record testimony. (*See Editor's Note.*) In the light of future experience this policy may be changed through action by the courts, the legislature or by rules of government bodies having jurisdiction over particular subject matter. It will be the policy of the station to adjust its practices to such changes, reflecting at all times the tolerance which the interest of the public renders essential.

"(f) The station will see that its broadcasts on controversial issues, considered on an overall basis, maintain a fair balance among the various points of view, i.e., over the weeks and months it will maintain such a balance with respect to local and network programs, both sustaining and commercial alike.

"The parties believe that the above statement of policy properly sets forth the duties of a licensee under the Communications Act of 1934 with respect to the availability of time for discussion of issues of public importance, the censoring of scripts by licensees, and the maintenance of an overall program balance."

5. As indicated in paragraph 2 hereof, the present proceeding puts in issue the duties of a licensee, under the statutory mandate, to operate in the public interest, convenience, and necessity, to maintain an overall program balance by providing time on a non-discriminatory basis for discussion of public controversial issues and for the solicitation of memberships for non-profit organizations. It is recognized, of course, that the physical limitations on the amount of spectrum space available for radio broadcasting and the large demands upon radio stations for use of time make it impossible for every person desiring to use the facilities of a station to be granted this privilege. Under Section 3(h) of the Act, broadcast stations are expressly declared not to be common carriers. These facts, however, in no way impinge upon the duty of each station licensee to be sensitive to the problems of public concern in the community and to make sufficient time available, on a non-discriminatory basis, for full discussion thereof, without any type of censorship which would undertake to impose the views of the licensee upon the material to be broadcast. The spirit of the Communications Act of 1934 requires radio to be an instrument of free speech, subject only to the general statutory provisions imposing upon the licensee the responsibility of operating its station in the public interest.

6. No single or exact rule of thumb for providing time, on a non-discriminatory basis, can be stated for application to all situations which may arise in the operation of all stations. The Commission, however, is of the opinion that the operation of any station under the extreme principles that no time shall be sold for the discussion of controversial public issues and that only charitable organizations and certain commercial interests may solicit memberships is inconsistent with the concept of public interest established by the Communications Act as the criterion of radio regulation (CF in re the Mayflower Broadcasting Company, 8 FCC 338). The Commission recognizes that good program balance may not permit the sale or donation of time to all who may seek it for such purposes and that difficult problems calling for careful judgment on the part of station management may be involved in deciding among applicants for time when all cannot be accommodated. However, competent management should be able to meet such problems in the public interest and with fairness to all concerned. The fact that it places an arduous task on management should not be made a reason for evading the issue by a strict rule against the sale of time for any programs of the type mentioned.

7. The agreed Statement of Policy submitted by the parties herein appears to set forth generally a fair and non-discriminatory policy which WHKC, the licensee, has undertaken to apply to the presentation of controversial public issues and to the solicitation of memberships by non-profit organizations in the maintenance of overall program balance. On the basis of this undertaking, we are of the opinion that the joint motion should be granted and the proceeding dismissed, and IT IS SO ORDERED THIS 26th DAY OF JUNE, 1945.

FEDERAL COMMUNICATIONS COMMISSION.
T. J. SLOWIE,
Secretary.

Editor's Note: The first two paragraphs of the Statement of Policy given by Carl M. Everson, WHKC manager in his record testimony, were identical to paragraphs (a) and (b) of the agreed statement as set forth in the Commission's decision. The remaining portions of his Statement of Policy, which seemingly clarify the meaning of paragraph (e) of the agreed statement reads as follows:

"Where controversial questions materially affect the life, interest or welfare of any substantial group of the community, the station will endeavor to make the time available on a sustaining basis to opposing sides and with only such program supervision as is required by the law.

"With the exception of broadcasts by candidates for political office, which may not be censored under the

(Continued on page 258)

"Telling the World" Report No. 6

Local Originations in Support 7th War Loan

Period—June 10-16

(Excluding Network and National Spot)

Sing for the 7th	5-min ET	3,626
Treasury Salutes	15-min ET	3,049
Music for Millions	15-min ET	2,843
Treasury Songs	5-min ET	55
Buy, Buy Bonds	3-min ET	92
Spots	Live & ET	95,543
	2-min	1,854
	3-min	422
Programs	5-min	857
	7-min	13
	10-min	474
	12-min	61
	15-min	1,226
	20-min	41
	25-min	56
	30-min	442
	45-min	44
	50-min	10
	1 hour	41
	1½ hours	31
	2 hours	5
	3½ hours	10

No. 8 Report is due July 2

Please send Reports Nos. 7, 6, 5, and 4 if you haven't

statute, the facilities of station WHKC will be made available on the most liberal basis consistent with present laws and regulations. These laws and regulations, as I understand them, do not permit use of the facilities of a station:

"(1) To broadcast any advertising of or information concerning lottery, gift, or enterprise or similar scheme offering prizes dependent in whole or in part upon lot or chance.

"(2) To utter any obscene, indecent or profane language.

"(3) To obstruct the administration of justice.

"(4) To offend the religious susceptibilities of thousands.

"(5) To inspire political distrust and civic discord.

"(6) To offend youth and innocence by the frequent use of words suggestive of sexual immorality.

"(7) To broadcast information inimical to the public health and safety.

"(8) To broadcast statements that would tend to provoke a breach of peace or incite to riot.

"(9) To utter words of defamation of character.

"(10) To practice wilful fraud or deception upon the public through the misrepresentations of material facts.

"(11) To disparage the goods or services of a competitor.

"In the light of future experience these rules may be changed through action of the courts, the legislature or by rules of government bodies having jurisdiction over particular subject-matter. It will be the policy of the station to adjust its practices to such changes, reflecting at all times the tolerance which the interest of the public renders essential."

FCC ANNOUNCES FM, TELEVISION ALLOCATIONS

The Federal Communications Commission on Wednesday (27) adopted, with some modifications, the number 3 allocation alternative affecting that portion of the spectrum between 44 and 108 mc and placed FM in the band 88 to 106 mc. Television channel number 1 will be 44 to 50 mc with channels 2 to 6, inclusive, beginning at 54 mc and ending at 88 mc. The Commission in announcing its decision has stated that its primary concern in making the allocation between 44 to 108 mc was to provide for FM the frequencies best adapted to its needs.

It was pointed out that all other services for which provision is made in this portion of the spectrum have allocations elsewhere so that they are not wholly dependent upon assignment in this region. On the other hand, FM is receiving only one band and it is therefore essential that it receive an allocation which will give to FM a permanent portion of the spectrum "as free as possible from interference and other shortcomings."

According to testimony at the oral argument on June 22 and 23 the moving of FM broadcasting to the higher frequencies will not delay the production of receivers as long as had been originally anticipated. During the argument, there was general agreement among the representatives of manufacturers present that the delay in producing FM receivers for the new band would probably be not more than 4 months. The Commission's report is reproduced below in its entirety with the exception of interference tables contained in the report which illustrate the relative interference to be expected on several frequencies in the region 43 to 104 mc.

Report of Allocations from 44 to 108 mc.

On May 25, 1945, the Commission made public its final report of allocations above 25,000 kilocycles, except for the region of the spectrum from 44 to 108 megacycles. With respect to this region, the Commission proposed three alternative allocations for FM, television, facsimile, non-government fixed and mobile services, and the amateur service. In its report, the Commission stated that the final decision among the three alternatives could be made with a great deal more assurance if more factual data were available. The Commission also pointed out that a program of experimentation during the summer months designed to collect further data was possible, since the War Production Board had assured the Commission that the radio industry would not resume production of AM, FM, and television transmitters and receivers in 1945 or even in the first part of 1946 unless Japan capitulated, and that the War Production Board would give the Commission 90 days' advance notice in the event of any change in its production estimates.

However, in view of the fact that the War Production Board subsequently advised the Commission that the manufacture of AM, FM, and television transmitters and receivers might commence at an earlier date than was originally indicated to the Commission, and that it would probably not be possible for the War Production Board to give 90 days' advance notice to the Commission before production was resumed, the Commission on June 5, 1945, ordered a further argument and hearing in order that a final decision might be reached at the earliest possible date. Such a hearing was held on June 22 and 23, 1945, marking the culmination of an extended series of hearings and oral arguments which began in September, 1944.

As the Commission noted in its report of May 25, 1945, its primary concern in making allocations between 44 to 108 megacycles is that FM shall be assigned the frequencies best adapted to its needs. All of the other services for which provision is made in this portion of the spectrum, have allocations in other portions of the spectrum, so that they are not wholly dependent upon their assignments here. FM, on the other hand, is receiving assignment only in this portion of the spectrum, and accordingly it is essential that it receive an allocation which will give a permanent locus, "as free as possible from interference and other shortcomings."

The three alternatives proposed for FM are:

(1) 50- 68 megacycles
(2) 68- 86 megacycles
(3) 84-102 megacycles

There was unanimity that alternative No. 2 (68-86 mc.) is completely unfeasible. Accordingly, the choice lies between alternatives Nos. 1 and 3.

The primary objection to alternative No. 1 is the amount of skywave interference which will result among FM stations if FM is placed in the 50-68 megacycle region. The nature and extent of this anticipated interference was set forth in great detail in Section 8 of the Commission's report of May 25, 1945 (pp. 49-72). The tables showing such interference are reproduced at the end of this report. For example, interference among 50 kilowatt FM stations at 58 megacycles from sporadic E transmissions alone, assuming a 10/1 ratio of desired to undesired signal and full occupancy of the channel, might be expected for 140 and 480 hours per year at the 50 microvolt contour from stations 900 and 1,000 miles distant, respectively. At 84 megacycles, in contrast, interference under these conditions would be anticipated for only 6.5 to 25.5 hours per year. It should be noted that the 140-480 hours per year of anticipated interference would not be spread out evenly throughout the entire year but that the great bulk of it would be concentrated in two or three summer months.

The existence and extent of such sporadic E interference is not merely a matter of abstract calculation. In addition to the measurements of such interference made by the Commission, there is the experience of the amateurs, who have heretofore utilized both the 56-60 megacycle and the 112-116 megacycle bands. Mr. Grammer of the American Radio Relay League stated that there have been thousands of communications via sporadic E in the 56-60 megacycle amateur radio band but that there have been no recorded instances of such transmission in the 112-116 megacycle band (Cl. Tr. 144).

The amount of sporadic E interference will vary with the particular frequency involved, the power of the transmitters, the distance between transmitters, the number of transmitters on a channel, and other factors; but regardless of these factors, the region of the spectrum above 84 megacycles is markedly superior to the region below 68 megacycles with respect to sporadic E.

(Continued on next page)

In addition to this interference from sporadic E transmissions, interference from F2 transmission at 53 megacycles may be anticipated for as many as 470 hours per sunspot cycle—concentrated in a period of three years—in the case of a sunspot cycle the same as the last one; or interference may exist for as much as 2,650 hours per sunspot cycle if the next sunspot cycle is as severe as the highest on record. These figures for F2 transmission, it should be noted, assume only two stations on a channel; more than two stations on a channel would double or treble the number of hours during which F2 interference would be expected at 53 megacycles. In contrast, no F2 interference whatever is to be anticipated above 84 megacycles.

For listeners buying FM receivers in reliance on a belief that FM is an interference-free service, these figures are extremely serious. They mean, for example, that a listner tuned to a station which is carrying the program of his choice may suddenly find, either that the program to which he has been listening is being interfered with by a station hundreds or even thousands of miles away, or else that control of his receiver has been seized altogether by a distant station completely obliterating the desired program of the local station. These distant transmissions, moreover, are sporadic in nature, with the result that his enjoyment may be further destroyed by an alternation of first one program and then another as transmission vagaries decree. The effect may well be to render FM receivers useless to many listeners for substantial periods of time.

It has been argued that the bulk of the interference anticipated will be found in outlying rural areas which rely upon low-intensity signals for their radio reception and that if these areas are excluded, FM service will be more than 99 percent perfect. The tables make it clear that urban as well as rural service will be subject to substantial interference on the lower frequencies. This Commission, moreover, is under a statutory duty to make available to *all* the people of the United States an efficient nationwide radio service. The Commission's duty is not fulfilled if its provision for FM service is such as to make it impossible for rural areas to enjoy satisfactory FM service.

The tables and data upon which the Commission's interference predictions are based were set forth in full in the May 25 report and were the particular topic for the oral argument on June 22 and 23. Practically without exception all persons appearing at the hearing stated either that they agreed with the Commission's predictions or that in determining the best allocation for FM they were willing to assume that the predictions as to interference contained in the Commission's report were accurate. In those cases where exception was taken, no substantiating data were offered. Indeed, the testimony at the June 22-23 argument indicated that the Commission's predictions might understate in at least one respect the number of hours of interference to be anticipated at particular contours. The Commission's predictions were based upon the assumption that receivers will be generally available which are capable of rejecting an undesired signal one half as strong as the desired signal. Manufacturers generally appearing at the hearing were unwilling to state that their post-war receivers would meet this standard. With inferior receivers, an even greater number of hours of interference can be anticipated. The issue, accordingly, is whether the freedom from long-range interference which FM will enjoy at the higher frequencies is to be sacrificed by reason of other considerations.

Various objections to assigning the higher frequencies to FM have been raised in this record. For example, it has been alleged that tropospheric interference may be worse in the vicinity of 100 megacycles than in the 50 megacycle region. The Commission in its report of May 25, 1945, specifically pointed out that there would be some difference in tropospheric propagation; but this difference would be only slight and that tropospheric interference at the higher frequencies could be eliminated by slightly increasing the geographical separation between stations. This evidence was not controverted at the oral argument on June 22 and 23, 1945, and Dr. Beverage, one of the propagation experts chiefly relied upon by persons favoring alternative No. 1, testified that tropospheric effects change slowly and that they would not be greatly different throughout the range of frequencies under consideration (Tr. 5583).

The point has also been made that equipment for use in the vicinity of 100 megacycles will cost more than equipment for use in the vicinity of 50 megacycles. This will no doubt be true at least temporarily, but it seems equally clear that competition will reduce the differential substantially, and that the benefit to the public resulting from an interference-free service will more than outweigh the slight increase in initial cost for service in the 100 megacycle region.

At the earlier hearings, some contended that FM might be delayed for two years or even longer if FM were assigned to the higher frequencies. At the time of the oral argument, June 22-23, 1945, the estimates of delay were reduced to four months. It may well be that competition will markedly reduce even this four-month estimate. Moreover, this report makes it possible for manufacturers to begin at once their planning and design for the higher frequencies. The War Production Board has not yet authorized construction of AM, FM, or television equipment for civilian use; and some months may still elapse before manpower or materials become available in sufficient quantities for such production to begin. If so, the planning and design of equipment for the higher frequencies can be completed before civilian production of any AM, FM, and television equipment is authorized.

Manufacturers, of course, are desirous of marketing FM receivers at the earliest possible moment; and the Commission, too, is concerned that FM receivers shall be freely available to the public early enough to supply the immediate post-war demand. However, the Commission has a duty to consider the long range effects of its action as well as the effects during the months immediately ahead, and it does not propose to provide an inferior FM service during the decades to come merely because of the transitory advantages which may be urged for an inferior type of service.

Earlier in these proceedings, much emphasis was placed on the presumed hardship which would result to the approximately 400,000 persons who had purchased FM receivers before the war. Most of these receivers are combination AM-FM and the AM part of the receiver will continue to be used. There is now substantial agreement that the band (42-50 Mc.) for which these receivers were made is wholly inadequate and unsuited to FM reception. Accordingly, no one today argues that post-war FM should be degraded to the point necessary to accommodate these receivers. However, interim operation in the present band from 42 to 44 megacycles is being provided until such time as equipment for the higher frequencies is freely available to the public and until owners of existing receivers have had equal opportunity to adapt or convert them to the new band. In this connection, a converter was demonstrated to the Commission which would make existing FM receivers capable of tuning to the higher frequencies and which should retail for approximately $10.00.

For the foregoing reasons and upon the basis of data set forth in Section 8 of the report of May 25, 1945, the Commission is adopting alternative No. 3, with certain modifications. The allocation between 42 and 108 megacycles is as follows:

Freq. Band (Mc.)	*Proposed Allocation*
42- 44	Non-Government Fixed and Mobile
44- 50	Television—Channel No. 1
50- 54	Amateur
54- 60	Television—Channel No. 2
60- 66	Television—Channel No. 3
66- 72	Television—Channel No. 4
72- 76	Non-Government Fixed and Mobile
76- 82	Television—Channel No. 5
82- 88	Television—Channel No. 6
88- 92	Non-Commercial Educational FM
92-106	FM
106-108	Facsimile

This allocation is essentially the allocation proposed as alternative No. 3 of the earlier report, except that the non-government fixed and mobile services have been moved

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from 104-108 megacycles to 72-76 megacycles, and FM and television have been adjusted accordingly. The advantage of this change is that it makes possible immediately the use of all 13 television channels below 300 megacycles. Under alternative No. 3, as originally proposed, the entire 6 megacycle television channel between 72 and 78 megacycles could not be used until the aviation markers centering on 75 megacycles were moved. The non-government fixed and mobile services are not under the same disability. They can use the entire band between 72 and 76 megacycles at once, with the exception of approximately one-half megacycle in the vicinity of 75 megacycles to protect the aviation markers. This shift of the non-government fixed and mobile services from 104-108 megacycles to 72-76 megacycles also results in a possible increase in the number of channels available to the non-government fixed and mobile services, sinces a 40 kilocycle channel is adequate in the 72-76 mc. portion of the spectrum, whereas a 50 kilocycle channel was proposed in the 104-108 megacycle region.

Ground Wave Coverage

Distance in Miles to 50 uv/m Contour

Power:	*1 kw*			*10 kw*			*50 kw*		
Antenna Height:	*200'*	*500'*	*1000'*	*200'*	*500'*	*1000'*	*200'*	*500'*	*1000'*
46 mc.:	40	52	65	56	67	82	67	80	95
95 mc.:	43	56	68	57	68	83	68	81	92

According to the FMBI News Letter, President Walter J. Damm of FM Broadcasters, Inc., has called a special meeting of the FMBI Board in Chicago on July 10. Mr. Damm called the meeting as soon as the decision of the FCC was made known to him. It is expected that the FMBI Board, following the meeting, will release a public statement concerning the Association's attitude on the allocation.

FCC COMMENDS CASE

The Federal Communications Commission on Tuesday (26) adopted the following Minute:

"Commissioner Norman S. Case, former Governor of Rhode Island, on June 30, 1945, will complete eleven years service on the Federal Communications Commission.

"He was appointed by President Franklin D. Roosevelt and was an original member of the Commission when it was constituted on July 11, 1934. Governor Case has endeared himself to his fellow commissioners, the staff, and all the employees by his warm personal qualities, integrity and sense of fair play.

"Uprightness of character, firmness of conviction and precision of thought have marked his conduct in the deliberations and decisions of the Commission. He has always had the confidence and the respect of those who have had matters before the Commission.

"We who have been intimately associated with him through the years have appreciated his fairness in all matters and his consideration for the views of others. Our work with him has been a pleasure. We congratulate him on the completion of his long and honorable term of public service as a member of this Commission and extend to him our best wishes for his continued success in any activities he may undertake."

PARDON THE ERROR

In last week's NAB Reports, Page 246, there appears an article titled " 'Right-To-Work' Law Upheld." The word "Federal" in line two of paragraph one should have been "Florida." We're sorry.

WAR DEPT. ASKS YOUR HELP

Telephone calls, local and long distance, and the gathering of crowds, due to arrival of troops from overseas, are currently causing much confusion at Ports of Embarkation.

To illustrate: When the Queen Mary arrival was announced one day in advance, by radio and press, over 3,000 calls were received by the New York Port of Embarkation. Most of the questions asked about the troops were naturally unanswerable.

Office, Chief of Transportation, has asked NAB, through channels, to transmit to member stations this request:

That broadcast stations "amend each news story about the arrival of troops at *any* port with statements outlining the following:

a) "the public should not telephone the Port. Arrivees will doubtless telephone their relatives the soonest.

b) "the public must stay clear of the vicinity of piers or staging areas.

c) "if no telephone call is received, individuals probably have not arrived. Units announced as returning are not necessarily arriving in their entirety."

SENATE UPS OWI BUDGET

The Senate refused to follow the House lead in slashing funds for the Office of War Information. A budget of $39,670,215 was voted by the upper chamber for the next fiscal year. OWI asked $42,000,000 which was cut by the House Appropriations Committee to $35,000,000 and then by House vote to $18,000,000.

The matter now goes to conference in an effort to reconcile the differences between the two branches of Congress.

ALMA KITCHELL NEW AWD PREXY

Alma Kitchell, WJZ, New York, is the new President of the Association of Women Directors of NAB, it is announced by Dorothy Lewis. A national radio figure, she will bring prestige to this fast growing and important radio organization. Other officers include four Vice-Presidents: Mildred Bailey, WCOP, Boston; Elizabeth Hart, WMAQ, Chicago; Gwendolyn Peacher, KNX, Hollywood, and Dorothy Lewis, NAB, New York. Secretary: Jane Dalton, Spartansburg, South Carolina, and Treasurer, Barbara Bates, WOW, Omaha. These women, all well known broadcasters, will seek to stimulate activities in their regions.

INTERNATIONAL BROADCAST FOR "CANADA DAY IN ROCHESTER"

Because of its international significance, NAB is reporting herewith a more complete story of "Canada Day in Rochester." This was but sketchily told in "Telling the World" folio of news items taken from No. 6 Reports.

Climax to one of Rochester's largest and by far most important events in this Seventh War Loan Drive was the international broadcast celebrating "Canada Day in Rochester." William A. Fay, vice president of Stromberg-Carlson, in charge of broadcasting, and former general manager of WHAM, and John D. Hayes, president of Fanny Farmer, were chairmen of the affair.

The broadcast, carried by CBC Trans-Canadian network and "Radio Rochester," WHAM-WHEC-WSAY, was aired at 8:00 p. m., June 15. It consisted of congratulatory speeches by J. L. Ilsley, minister of finance of Canada, and Henry Morgenthau, Jr., Secretary of the Treasury. Music for the program was furnished by the Rochester Philharmonic Orchestra and the Royal Canadian Air Force Central Band, playing from Ottawa, Canada.

Engineering pickups and relays played an important part in the broadcast. Secretary Morgenthau spoke from Poughkeepsie, N. Y.; Finance Minister Ilsley's talk came from Ottawa, through station CBL, Toronto, and the announcing and orchestra from Rochester.

"Canada Day" brought to Rochester some of the out-

(Continued on next page)

standing military heads of both countries and many fetes and appearances by all dignitaries took place. His worship, the Mayor of Toronto, Robert Saunders, headed a caravan of visitors arriving Friday morning. Two Canadian bands, the Royal Canadian Navy Band, and the Centralia Bagpipe Band, participated in a parade Friday night. Boy Scouts from Toronto, 5½-year service men of the Army, specially trained marching units, 100 Air Cadets, Royal Northwest Mounted Police and a Guard of Honor were guests.

Many of the military dignitaries and the Navy Band participated in ceremonies held Thursday, Flag Day, June 14. A special program was aired by "Radio Rochester." WHAM-WHEC-WSAY, from a Rochester high school, giving the report of bond sales by the Rochester schools.

Broadcast arrangements for both days were made by Charles Siverson, program director, WHAM, and a member of Mr. Fay's committee. A special broadcast was aired on WHAM at 7:45, the same evening, in which C. Raymond Naramore, Board of Education, Rochester, interviewed Captain Leslie Gehres, skipper of the USS *Franklin*. Captain Gehres, a former Rochesterian, visited the home town for the "Canada Day" celebration.

FIGHTERS LIKE KODY GLOBAL SHOW

From Berchtesgaden to the Philippines and points between, soldiers, sailors, and marines have heard the KODY —North Platte, Neb., "Let's Go to Town" show. Paratrooper Floyd Small called the program a "terrific morale booster" after hearing it in Germany.

Glen A. Albert Anderson, U. S. Coast Guard, wrote from the Philippines, June 11:

"Tonight at 2045 I turned on the radio—to get 'Let's Go to Town.' I was very surprised to hear good old North Platte. It was a great pleasure to hear the sounds of our great town. I was very glad to hear all the news, as our mail is very slow in getting here. I want to thank you for the highlights of the hometown, and I know many others who also enjoy it."

John Alexander, general manager. KODY, was Task Force Commander for the North Platte program.

2 WIP SCRIPTS IN FOR OK

Ed Wallis, WIP program director, and Task Force Commander of two Philadelphia "Let's Go to Town" programs, forwarded scripts to Los Angeles for approval, June 27.

In the programs GI listeners will take a trip from the North Philadelphia station down Broad Street, with landmarks pointed out en route. Familiar city sounds will be included in each ET.

Participants in the show will be: Jerry Doyle, Philadelphia *Record* cartoonist; Stoney McLinn, WIP-Mutual sports commentator; Connie Mack, manager and owner of Athletics; Gene Krupa and his orchestra (appearing at the Earle Theater, Philadelphia); Bob Williams, *Bulletin* servicemen's correspondent; and Mildred Martin, amusement editor for the Philadelphia *Inquirer*.

EUGENE CARR JOINS BRUSH-MOORE

Eugene Carr has resigned as assistant to President George A Richards (WJR, WGAR, KMPC) to become Executive in Charge of Radio for the Brush-Moore Newspapers, Inc., owners of several Ohio newspapers and radio stations WHBC, Canton, and WPAY, Portsmouth.

For the past six months Mr. Carr has been on loan to the Treasury Department as Chief of the Radio Section of the War Finance Division. Appointment of Carr, a recognized leader in various phases of radio development, indicates that Brush-Moore is planning an expansion of its radio activities.

Carr has long played a prominent role in industry affairs. He was one of the founders of the Broadcast Advertising Department of NAB, and as chairman of the Sales Managers Executive Committee; led in the origination of the Retail Promotion Plan and the development of the retail presentation made in 1943. This project contributed largely to breaking down the resistance of retailers to radio advertising. In addition to his almost constant connection with NAB affairs, Mr. Carr served as Vice President of the Ohio Association of Broadcasters.

Entering radio in 1929 with WTAM, Cleveland, Mr. Carr has served in almost every broadcast capacity, as musical talent, commercial copy writer, program director, producer. assistant general manager, general sales manager, and more recently as assistant to President Richards in the operation of the latter's three stations. From May 1942 to September 1943 Carr served as an assistant in the Radio Division of the Office of Censorship. He broadened his acquaintance in the radio industry through attendance at NAB District meetings explaining the relation of the broadcasters to censorship.

Carr left the Treasury on June 26 and after a month's vacation, which will be spent with his daughter at Colorado Springs, he takes over the reins for Brush-Moore.

Lt. Levy New Chief

Succeeding as Treasury radio chief is Lt. (J. G.) David Levy, a member of the radio staff during the 7th War Loan. His appointment was made known to NAB June 27 by Tom Lane, director of advertising, press and radio. Lt. Levy was writer and producer for Young and Rubicam before joining the Navy.

Mr. Lane said that Lt. Levy will continue to devote most of his time to writing and production.

KPRO STAFF CHANGES

W. L. Gleeson, President of KPRO, Riverside, California, announces the appointment of Gene Williams, formerly commercial manager, to the position of station manager. Mr. Williams, graduate of the University of Missouri School of Journalism. was for 14 years connected with the Janesville *Gazette* and Station WCLO at Janesville, Wisconsin.

At the same time it was revealed that Herbert Ellis, formerly of KFMB and KGFJ, and Edward Hess McLean, just released from the Navy, have joined the KPRO staff, the former as an announcer, and the latter as production man and director of Talent Bureau.

Mr. Gleeson is retiring from the active management of the station to devote his full time to KPRO's television and FM plans.

RADIO MAN KEYNOTES TOURIST MEETING

Arthur R. Kirkham, Vice President of KOIN, keynoted a meeting called by Oregon's Governor Earl Snell to discuss ways and means for making tourist and recreation the number one industry in Oregon after the war.

Oregon radio men were well in evidence at the Salem meeting, along with representatives of Chambers of Commerce, railroads, airlines, newspapers, tourist hosts. and others. The object of the meeting is to expand and make better the state's tourist facilities and to conduct an active nation-wide campaign to encourage travel in that area.

Through the 16 years of his service at KOIN, Kirkham has played a major role in developing Oregon's tourist attractions and is known as the "father" of Portland's justly named 50-mile scenic drive.

THIRD YEAR OF STUDENT-TEACHER TRAINING COURSE IN RADIO NOW UNDER WAY AT KYW

PHILADELPHIA, PA.—For the third successive year, KYW opened its doors and loaned its facilities to the education of teachers and high school pupils in all phases of broadcasting beginning Wednesday (27). At that time, Radio Workshop, a co-operative project pioneered by Philadelphia's Board of Education and the Westinghouse station, started classes with lectures and laboratory work that will extend throughout July on a daily basis.

The first fifteen minutes of the opening session went on the air from 9:15 to 9:30 A. M. over KYW. Heard on the broadcast were Lee B. Wailes, Manager of Westinghouse Radio Stations, Inc.; Dr. T. E. McMullin, of the University of Pennsylvania; Dr. Merrill E. Bush, Temple University; Dr. Robert MacMillan, Associate Superintendent of Public Schools, and Miss Gertrude A. Golden, Superintendent of the Third District Public Schools and Chairman of Public Relations for the Board of Education. They engaged in a round-table preview of the Summer Workshop.

The original idea of bringing student-teachers into actual contact with professionals, radio equipment and broadcasting procedure is still adhered to by the Workshop. The lectures and laboratory work stress the four basic subjects which two years' previous experience has been shown to be most valuable to the purpose of education by radio. These subjects are script-writing, production and acting, utilization and evaluation.

In addition to KYW personnel and facilities, the Workshop draws guest speakers from Westinghouse stations conducting similar courses. Speakers from other prominent educational and radio sources are also scheduled at frequent intervals.

Robert L. Hudson of Denver, Chairman of the Rocky Mountain Radio Council, will give the benefit of his experience to the Workshop members over a two-week period.

The popular teaching plan was conceived by Gordon Hawkins, Program and Educational Director of Westinghouse Radio Stations, Inc., in collaboration with Miss Gertrude Golden, District Superintendent of the Philadelphia Public School system.

Similar workshops have been instigated by Mr. Hawkins at KDKA, Pittsburgh; WBZ, Boston, and WOWO, Fort Wayne. He presides over the annual Philadelphia activity ably assisted by William C. (Colonel Bill) Galleher, KYW Educational Director.

ABSIE ENGINEERING GROUP FORMED

In a letter to NAB from one of its members, news was brought of the organization of a club known as "ABSIE Engineering Group," composed of engineers of the "American Broadcasting Station in Europe."

"The Broadcast Stations of America have contributed personnel and air time to aid the war effort. Broadcast men have enlisted in the various armed services of their country; other men volunteered to go abroad for Government Agencies who had great need for technical personnel. This letter concerns those personnel who went abroad for the Office of War Information to build and operate a radio station known as the 'American Broadcasting Station in Europe.'

"Throughout 1944 and during the first 5 months of 1945, despite enemy action by robot bombs and rockets, members of the Engineering Staff stood by their jobs so that the people of the occupied countries would receive the news devoid of enemy propaganda, receive operational messages and instructions and finally prepare them for the ultimate liberation of their respective countries. The American Broadcasting Station in Europe did just that.

"The Engineers of ABSIE have formed a club called 'ABSIE Engineering Group,' whose purpose is to foster the friendship and comradeship started in the European Theater of Operations and pledge mutual aid to each other following the cessation of hostilities and the return to normal life. The Group met and elected Ely I. Bergmann of the WOR-Mutual, Chairman, and Fred G. Edwards of WTIC, Secretary-Treasurer."

DURR AIRS RADIO VIEWS

FCC Commissioner Clifford J. Durr, speaking at the Conference of the Independent Citizens' Committee of the Arts, Sciences and Professions, Inc., in New York City on last Saturday (23), made some interesting observations on broadcasting which, we believe, will be of interest to all in the industry. His remarks follow in full:

"The title assigned to me is 'FM—New Market for Radio Talent.' I hope you will forgive me if I stray beyond the narrow limits set by the language of the title, for FM or frequency modulation broadcasting is merely a newer and, we hope, a better method of broadcasting which will open new spaces in the radio spectrum for additional broadcast stations.

"In considering the employment of radio talent, we cannot separate FM from broadcasting generally—from standard broadcasting and television. And we cannot consider the employment problems and opportunities of the new FM except in the light of our experience with the old standard broadcasting system.

"The employment opportunities ahead in the field of broadcasting will depend, it seems to me, upon which of two basic philosophies we adopt with respect to this instrumentality. I should like first to outline these two philosophies and then to point out their consequences in terms of the employment of artists, scientists and professional people generally.

"The first of these philosophies has been expressed as follows:

> " 'The ether is a public medium, and its use must be for public benefit. The use of radio channels is justified only if there is public benefit. The dominant element for consideration in the radio field is, and always will be, the great body of the listening public, millions in number, country-wide in distribution.'

"This, the 'public medium' philosophy, was laid down by Herbert Hoover in 1925, when he was Secretary of Commerce, and I believe it embodied the best thinking of that time on the subject.

"I believe it was the intention of Congress to incorporate this philosophy into law when it expressly reserved to the people title to all radio channels; when it directed that licenses be granted only to applicants who demonstrate their qualifications and their intention of using the publicly-owned channels in the 'public interest, convenience and necessity'; when it provided that no broadcasting license should ever be granted for a period longer than three years, and that every application for renewal of license 'shall be limited to and governed by the same considerations and practices which affect the granting of original applications'; and when it provided that every applicant for a license must sign a waiver of any claim to the use of the ether 'as against the regulatory power of the United States.'

"However, as radio demonstrated its possibilities, a second philosophy began to arise, which has in recent years been asserted with increasing frankness and vigor. This second philosophy is exemplified in the New Year's statement of the president of the National Association of Broadcasters, an association which represents some two-thirds of the broadcasting stations of this country:

> " 'This has been a great year for radio and 1945 will be a better one, judging by the prospects. One must consider balance sheets to measure the progress of radio. For balance sheets represent an index to the medium's effectiveness.'

"I am sure this 'balance sheet' philosophy is not the philosophy of all broadcasters or even of all members of the National Association of Broadcasters, but to date it has

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not been publicly repudiated by any of them, so far as I am aware.

"The 'balance sheet' philosophy was more fully developed by the president of the NAB in an address delivered this spring before the Kiwanis Radio Week Meeting of the Kiwanis Club of Omaha, Nebraska. He posed this question to his audience:

> "'Do you regard it [radio] purely as a miracle, as a flash of inventive genius—a discovery in electronics beyond the comprehension of ordinary mortals, or do you associate it with bookkeeping, clerks, secretaries, bank balances, customers, pay checks and janitors—in short, the product of American business?'

The question would seem to provide its own answer. But lest some of his listeners might associate radio in their own minds with writers and musicians, dramatists, producers, actors, educators, and those in public life who are struggling with the vital economic, political and social issues of the day—or even with listeners—the speaker answered his own question:

> 'American radio today is the product of American business! It is just as much that kind of product as the vacuum cleaner, the washing machine, the automobile and the airplane. * * *
>
> 'After twenty-five years, if the legend still persits that a radio station is some kind of an art center, a technical museum or a little piece of Hollywood transplanted strangely to your home town, then the first official act of the second quarter century should be to list it along with the local dairies, laundries, banks, restaurants and filling stations as a member of the town's business family.'

"Going back to the cruder days of broadcasting, the NAB president reminded us of the time when station operators 'had a sort of *"artistic personality."*' 'Many a station operator,' he pointed out, 'who might have had a personal preference for poetry and the opera learned some sound lessons in selling and mercandising under the tutelage of America's good, hard-headed business men, and it was the best thing that could have happened to him.'

"Coming forward to more recent years, the speaker informed his audience:

> "'The 1935 radio and its advertisers really began to get together. Advertising agencies had learned how to produce successful programs with some degree of regularity.'

and, may we not assume, they had also learned how to submerge effectively the 'artistic personality' of those station operators who might be swayed by their 'personal preference for poetry and the opera.'

"Earlier, during the period of dominance of the 'public medium' philosophy. many broadcasters felt it was their opportunity, as well as their responsibility, first, to encourage and to serve as an outlet for the local talent available in their communities; and second, to make available to their communities by means of networks or transcriptions, the cultural and entertainment resources of the entire nation. But, as the NAB president pointed out, the emphasis has now shifted to another kind of contribution which the radio station brings to its local community:

> "'If we look no further than the income which the radio station brings to town from national advertising, this is a considerable item which, after taxes, goes into local salaries, programs and general development.'

Under the new philosophy, a local program is still apparently all right if limited to announcements or sponsored news or recorded programs, but if the broadcaster is to meet the 'balance sheet' test, he must keep his eye on the national advertisers and the income they bring to town.

"Broadcasting today is of course a product of both the 'public medium' philosophy and the 'balance sheet' philosophy. But let us look at the over-all picture and see where artists. scientists and professional people fit into the scheme of things when broadcasting becomes associated with 'bookkeeping, clerks, secretaries, bank balances, customers, pay checks, and janitors.'

"The employment figures of 834 standard broadcast stations for the week beginning October 15, 1944 show a total of 20,452 full-time employees and executives. Only 863 of the employees were writers; 1,195 were outside salesmen. The average writer received $40.14 per week; the average salesman, $95.92 per week. There were 820 actors and other artists and more than three times that many accountants, clerks and stenographers. There was, however, no shortage of executives. These numbered 2,780, which is more than all the musicians and writers combined.

"Four hundred and fifteen local channel stations got along with only 259 full-time writers, but they employed 409 outside salesmen. The writers received an average of $31.87 per week while the salesmen received $68.85. The average local channel station employed less than one-third of a full-time musician and about about one-sixth of a full-time actor.

"As for scientists, the 834 stations reported a total of 60 people engaged in research and development.

"The figures for the networks are more encouraging, but even here the salesmen outrank the writers. The four big networks and their 10 key stations employed only 122 full-time writers, as compared with 135 salesmen. The writers average $64.58 per week and the salesmen, $128.56.

"Since programming is the essence of broadcasting, the figures I have given would seem to indicate a struggling and impoverished industry. But I can assure you that such is not the case. Broadcasters are a modest group and not inclined to boast of their personal prosperity. They even insist that their balance sheets and profit and loss statements be kept from public scrutiny, lest they become the source of discouragement to less fortunate members of society. I can assure you, however, that few of them are impoverished and most of them are doing quite well. While I cannot talk about their individual fortunes, the story as a whole is available and you might find a few of the figures interesting.

"During the year 1944, 836 standard broadcast stations reporting to the Federal Communications Commission earned net profits before federal income taxes of nearly $69,000,000. This represented an increase of 47% over their profits for 1943 and an increase of 125% over 1942. The 1944 net income represented a return of 194% on their investment in tangible broadcast property at the beginning of the year.

"The 1944 figures on program expenses are not yet available, but in 1943, the stations reporting to the FCC showed $1.30 in profits before taxes for every $1.00 they spent on programming. The station which earns 300%, 400%, or even 500% a year is no longer a rarity; and many of those who make the largest profits make it the easiest way—by becoming little more than platter players and relay stations for national news tickers and networks, while avoiding the troublesome but important job of producing programs through the use of the talent in their own communities.

"It is only fair to say that the figures which I have given with reference to the employment of talent by broadcasting stations themselves do not tell the whole story. Far from it. They only tell the story of those to whom we have entrusted the public's radio channels and whom we have charged with the responsibility of operating them in the public interest. Let us look at the rest of the picture.

"*Broadcasting* magazine, a weekly journal of the industry, has just concluded a series of articles about one of the industry's major customers, Procter & Gamble. According to the story, Procter & Gamble spent some $11,000,000 last year for radio time alone and an equal amount for talent, or a total of $22,000,000 more or less. This one advertiser spent 4 times the entire annual budget of the networks and stations operated by the Canadian Broadcasting Corporation, 3½ times as much as the entire program expense of 341 local stations in 1943, nearly half again as much as the program expense that year of 316 regional stations and more than twice as much as was spent by 41 clear channel stations; enough to pay the operating expenses of Iowa State College of Agriculture's very useful Station WOI, for 700 years at the rate of its present budget.

"Procter & Gamble, it appears, is as considerate of its listeners, who are the customers or potential customers for

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its products, as it is lavish in its expenditures for time and talent. According to the story:

> "'*P&G has a policy never to offend a single listener.*'

"Procter & Gamble is merely the largest of the large customers who contribute generously to the production of programs and it can be assumed that most, if not all, of the others are likewise anxious not to offend. Another which has recently been the subject of attention by the press is the American Tobacco Company.

"The New York *Times* for Sunday, April 22, quotes the president of this company to the following effect:

> "'. . . the last thing I could afford to do is offend the public. To attract the public's attention, yes, we will do that, but that is a great deal different from offending the public.'

"His views concerning the function of radio are further quoted:

> "'We have some funny thinking here about radio, and we have been criticized for it. Taking 100% as the total radio value, we give 90% to commercials, to what's said for the product, and we give 10% to the show.
>
> "'We are commercial and we cannot afford to be anything else. I don't have the right to spend the stockholders' money just to entertain the public.'

"Is this the function of radio which the president of the NAB had in mind when he ended his speech with a reminder of radio's solemn responsibility and a prophecy of its future:

> "'Radio has become a recognized guardian of the public interest. American business, with its own principles of freedom and public service and a war record which places it high among the glorious institutions of this earth, likewise has become a guardian of the public interest.'
>
> "'It is my prophecy that American business will want to use radio in the perpetuation of this trust, that it will find new ways to sell itself and its products to the American public through radio, that it will share more fully in radio's recognition as a guest in the American home—and whether this develops in the form of television, FM or the radio of the past twenty-five years, there shall be stronger safeguards of free expression and a greater fulfillment of public service by means of the union of broadcasting and the business man.'

"This 'union of broadcasting and the business man' is, of course, a tremendous source of employment for writers, actors and musicians who can find the fulfillment of their artistic ambitions in their pay envelopes and who are willing not to offend.

"Let me make it clear that I am not here complaining about any individual program produced by advertisers or advertising agencies. Some of them I enjoy personally, and I would not interfere with the right of others to hear programs which they like even though my taste might happen to disagree with theirs. The problem of broadcasting, as I see it, is not what we hear over the air—there are sufficient safeguards against obscenity, profanity, and the like. The problem lies in what we do not hear. Censorship by overloading the air with programs which sell goods, to the exclusion of programs which do not, may be as effective as a complete denial of access to the air or censorship by the blue pencil.

"Never to offend anyone may be good salesmanship. But is it good radio? Is it good sense in times such as these in which we are living? The best in literature and drama, and even art and music has offended. Milton offended in his time. So did Shakespeare and Victor Hugo and Voltaire, and Moliere, and even Galileo, in theirs—but their works have survived long after even the names of those whom they offended were forgotten. Tom Paine and Sam Adams and Jefferson and Hamilton and Madison and many others whose names we honor today did a lot of offensive speaking and writing in their time, but it was a time which required a challenge to greatness and a big challenge cannot be made without offending prejudices and vanities and fixed habits of thought. Out of their courage to offend came a Declaration of Independence and a Constitution and Bill of Rights.

"Our day is no less a time for a big challenge, but it hasn't been very long since the late Alexander Woollcott came to the parting of the ways with his sponsor because he offended by making uncomplimentary remarks about two world statesmen, whom we have since come to regard as rather unsvaory characters—Adolph Hitler and Benito Mussolini. Big challenges are being made today, and they are being made by radio, not only through speeches but through dramatizations such as 'On a Note of Triumph' which reach the emotions as well as the mind. We must not let such stirring appeals to our generation be overwhlemed or crowded out by the sheer volume of exhortations to buy commercial products; nor must we permit the commercial reiteration of broadcasting to anaesthetize us against the mighty challenges which radio on occasion can deliver.

"The problems of broadcasting are, therefore, far greater than the questions of whether the commercial shall come at the beginning, the middle or the end of the newscast, or at all three places, or what we should do about cowcatchers, hitch hikers, and singing commercials, or even the direct employment which post-war broadcasting will provide for talent. Which of the basic philosophies gains the ascendency may well determine whether our children and our children's children will find their employment as artists, scientists, professional people, mechanics or farmers—or as soldiers or sailors.

"The exponents of both philosophies of broadcasting pay full deference to the symbols of public interest and democracy. They say we must have a 'free radio.' I agree. Let us have a radio that is truly free—as free from economic domination and overweaning greed as from government censorship; that is free for the fullest expression of ideas and music and art; that is free to dramatize ideas as well as mystery stories or soap or laxatives; that is free even for the indulgence of 'personal preferences for poetry and the opera'; that is free from fear of offending, except through vulgarity and cheapness and obscenity and insincerity; that is free for the writer, the producer, and the actor to give the best that is in him regardless of the effect upon the sale of commercial products.

"They say we must have a competitive radio. I agree. Let us have a radio that is competitive for listeners as well as for advertising accounts; that competes for the quality and sincerity of programs as well as for listener ratings; that competes for the privilege of using the people's frequencies in the best interests of the people and on the basis of public service promised and rendered; that grants free competition to ideas and music and all other forms of human expression and that provides a free outlet for such expression in every community in the nation.

"They say we must have a democratic radio, regulated by the people, that gives the people what they want. I agree. Let us have a radio that is regulated by the people and that gives the people full access to all information needed for intelligent regulation. Let us have organizations through which the people can speak in making their regulation effective; let us have a democratic radio that is scrupulous in its regard for minority rights, which are as sacred to our form of democracy as majority rule. Above all, let us have a radio which recognizes that the essence of democracy is the maximum participation by the people in its processes; which recognizes that democracy is not merely a form of government but a way of life, and that music and drama and making a living and playing, as well as voting, are among its important ingredients.

"The new spirit which is needed in broadcasting must come from the artists and writers who will produce its programs. There is evidence that such a new spirit is beginning to stir. It is expressed in a letter from Private Ted Kehoe of the United States Army to *Theatre Arts* magazine:

> "'Today, most of us march in the ranks of the Army, but we are looking over our shoulders, watching our oldsters play out their string—watching them, learning, even as we march in war.
>
> "'In a few years the baton of leadership will be placed in our hands. Another round of the clock will

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see the curtain rise on a new theatre, a distinctly American Theatre, dominated by youth—all of us working to perfect our art, our profession.

"'How are we to start? Certainly not by wading into New York to compete in mortal combat with the 'Broadway baboons.' Instead, we intend to come into our own through kitchen doors, cellar doors, attic windows. We intend to infiltrate their lines, to establish theatres, resident professional community theatres, throughout this still mighty nation. We shall steal their foundations, brick by brick, until the American Theatre means something more than Broadway, New York City—until it means Cleveland, Pasadena, Houston, New Orleans, St. Louis, Cincinnati, and Pittsburgh and Seattle and Atlanta—until the term "American Theatre" brings to mind the playhouses and the artists of a nation. We shall increase the scope and meaning of the term by increasing the importance of the theatre *on stage* to local Joe Citizen—by being honest with him and with ourselves.'

"The hundreds of new stations made possible by frequency modulation can provide the kitchen doors, cellar doors, and attic windows through which the Private Kehoes may also infiltrate the American system of broadcasting."

Federal Communications Commission Docket

HEARINGS

Wednesday, July 18

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted petition to vacate the July 2 hearing date on application for renewal of license and assign hearing at Evansville; vacated the July 2 hearing date, and scheduled hearing for 10 a. m., July 18, at Evansville, Ind., provided, however, that the hearing may be adjourned to the offices of the Commission in Washington, D. C., for presentation of additional evidence, and further ordered that the motion for an order to take depositions be dismissed.

Thursday, July 26

Hearst Radio Inc., Assignor, and the Crosley Corp., Assignee, New York City.—The Commission on its own motion, continued the hearing scheduled for June 27 to July 26, 1945, on the applications for voluntary assignment of license of WINS and construction permit. (Action taken June 22.)

Federal Communications Commission Action

APPLICATIONS GRANTED

WJWC—J. W. Woodruff, et al., d/b as Columbus Broadcasting Co., Portable-Mobile, Columbus, Ga.—Granted construction permit to reinstate construction permit which authorized a new relay broadcast station to be used with standard station WRBL; frequencies **1622, 2058, 2150** and **2790 kc.,** 15 watts.

W9XZC—Zenith Radio Corp., Chicago, Ill.—Granted modification of construction permit which authorized a new experimental television broadcast station, for extension of completion date from 8-19-45 to 2-19-46, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651; conditions.

W3XWT—Allen B. DuMont Laboratories, Inc., Washington, D. C.—Granted license to cover construction permit which authorized reinstatement and changes in transmitter site, power, emission and type of equipment in experimental television station, subject to changes in frequency assignments which may result from proceedings in Docket No. 6651; conditions; station is to be operated as an experimental television broadcast station in accordance with Secs. 4.71 to 4.79 inclusive and to conduct such other related experimental operations as the Commission may require through its Engineering Department; frequencies to be assigned by Commission's Chief Engineer from time to time; power: Aur-2 KW, Vis-4 KW (peak); transmitter located at 11th and E Sts., N. W. (Hotel Harrington).

W3XLA—Everett L. Dillard, tr/as Commercial Radio Equipment Co., Portable, area of Washington, D. C.—Granted modification of construction permit which authorized a new satellite (developmental) broadcast station, for extension of completion date to 9-15-45.

W9XLA—KLZ Broadcasting Co., Portable, area of Denver.—Granted modification of construction permit which authorized a new satellite (developmental) broadcast station, for extension of completion date from 7-4-45 to 1-4-46.

WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted license to cover construction permit which authorized changes in antenna of FM broadcast station.

Georgia School of Technology, Area of Atlanta, Ga.—Granted construction permit for new relay broadcast station; frequencies **1646, 2090, 2190** and **2830 kc.,** 150 watts.

National Broadcasting Co., Inc., Cleveland, Ohio.—Granted construction permit for new relay broadcast station; frequencies **1606, 2074, 2102, 2758 kc.,** 150 watts.

Indiana Broadcast, Inc., Indiana, Penna.—Adopted Memorandum Opinion and Order granting application for a new station to operate on **1450 kc.,** 250 watts, unlimited time; conditions.

KRLH—Millard Eidson, Independent Executor of Estate of Clarence Scharbauer, deceased, Midland, Texas.—Granted request to change call letters of station from KRLH to KCRS.

LICENSE RENEWALS

WJTN—James Broadcasting Co., Inc., Jamestown, N. Y.—Granted renewal of license for the period ending August 1, 1946.

KFBC—Frontier Broadcasting Co., Cheyenne, Wyo.—Granted renewal of license for the period ending August 1, 1946.

KMAC—Howard W. Davis, tr/as The Walmac Co., San Antonio, Texas.—Granted renewal of license for the period ending August 1, 1946.

WMC—Memphis Publishing Co., Memphis, Tenn.—Granted renewal of license for the period ending May 1, 1946.

WJJD—WJJD, Inc., Chicago, Ill.—Granted renewal of license for the period ending May 1, 1948.

KTUL—Tulsa Broadcasting Co., Tulsa, Okla.—Granted renewal of license for the period ending November 1, 1947.

Licenses for the following stations were further extended on a temporary basis pending determination upon application for renewal, for the period ending September 1, 1945:

KFAB, Lincoln, Nebr.; KJBS, San Francisco; KRLD, Dallas, Texas; KSTP and auxiliary, St. Paul, Minn.; KVOO, Tulsa, Okla.; WBAL and auxiliary, Baltimore, Md.; WBT, Charlotte, N. C.; WDZ, Tuscola, Ill.; WFTC, Kinston, N. C.; WHAM and auxiliary, Rochester, N. Y.; WINS and auxiliary, New York City; WLIB and auxiliary, Brooklyn; WOAI and auxiliary, San Antonio; WOWO, Ft. Wayne, Ind.; WRVA and auxiliary, Richmond, Va.; WSKB, McComb, Miss.; WTOP, Washington, D. C.; WWVA, Wheeling, W. Va.; KMOX, St. Louis, Mo.; WDGY, Minneapolis, Minn.; KPMC, Bakersfield, Calif.

MISCELLANEOUS

Licenses for the following FM broadcast stations were extended on a temporary basis only, pending determination upon application for renewal, for the period ending September 1, 1945, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651:

WFMN, Alpine, N. J.; WNYC-FM, New York City; WMIT, Winston-Salem, N. C.; WGTR, Boston; WNTW, Boston.

Licenses for the following FM broadcast stations were further

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extended upon a temporary basis only, pending determination upon application for renewal, for the period ending September 1, 1945, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651:

KOZY, Kansas City, Mo.; WMLL, Evansville, Ind.; WQXQ, New York City; WHFM, Rochester, N. Y.

W4XAJ—The Atlanta Journal Co., area of Atlanta, Ga.—License for developmental broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending September 1, 1945, subject to changes in frequency assignment which may result from proceedings in Docket 6651.

KALW—Board of Education of the San Francisco Unified School District, San Francisco, Calif.—License for non-commercial educational broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending September 1, 1945, subject to changes in frequency assignment which may result from proceedings in Docket 6651.

W2XWE—WOKO, Inc., Albany, N. Y.—License for facsimile broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending September 1, 1945.

Licenses for the following relay broadcast stations were further extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending September 1, 1945:

Columbia Broadcasting System, Inc., WCBE, Charlotte, N. C.; KFAB Broadcasting Co., KIIH, Lincoln, Neb.; KSTP, Inc., KABE, KAIE, St. Paul, Minn.; NBC, WNBJ, Cleveland; Radio Service Corp. of Utah, KBIC, KBID, KNEF, Salt Lake City; WDZ Broadcasting Co., WAIO, WELR, Tuscola, Ill.; Westinghouse Radio Stations, Inc., WBGM, Ft. Wayne, Ind.; West Va. Broadcasting Corp., WAAH, Wheeling, W. Va., L. B. Wilson, Inc., WBAF, Cincinnati; WOKO, Inc., WMWA, Albany, N. Y.

First Baptist Church, Pontiac, Mich.—Granted extension of permit under Sec. 325 (b) of the Communications Act to transmit programs to Radio Station CKLW, Windsor, Ontario, Canada.

Associated Broadcasting Corp., Grand Rapids, Mich.—Granted extension of permit under Sec. 325 (b) of the Communications Act to transmit programs from Grand Rapids, Mich., to station CKLW, Windsor, Ontario, Canada.

Philadelphia Gospel Broadcasters Association, Philadelphia, Pa.—Denied petition for reconsideration and rehearing of the Commission's decision April 25, 1945, denying the petition and complaint of Philadelphia Gospel Broadcasters Association against the policies of station WPEN relating to religious broadcasting. The Commission finds no new facts or data presented which would require the Commission to modify or set aside its denial.

The following amended television applications were retained in the pending files:

Metropolitan Television, Inc., New York City; Central Ohio Broadcasting Co., Columbus, Ohio; Filene's Television, Inc., Boston; Cincinnati Broadcasting Co., Cincinnati, Ohio.

The following amended FM broadcast application was retained in the pending files:

Debs Memorial Radio Fund, Inc., New York City.

Hearst Radio, Inc., Milwaukee, Wis.—Placed in the pending files in accordance with Commission policy of February 23, 1943, application for commercial television station.

The Grand Rapids Broadcasting Corp., Grand Rapids, Mich.—Placed in the pending file in accordance with Commission policy of February 23, 1943, application for FM broadcast station.

APPLICATIONS FILED AT FCC

590 Kilocycles

KTBC—Claudia T. Johnson, Austin, Texas.—Authority to determine operating power by direct measurement of antenna power.

600 Kilocycles

KFSD—Airfan Radio Corp., Ltd., San Diego, Calif.—Construction permit to install a new transmitter. (B5-P-3877)

660 Kilocycles

KOWH—World Publishing Co., Omaha, Nebr.—Special service authorization to operate **660 kc.**, with power of 100 watts night, 500 watts day, unlimited time, for the period ending 11-1-46. (B4-SSA-130)

700 Kilocycles

WLW, WLWA, WLWB, WLWC, WLWD, WLWE, WLWF, WLWG, WLWH, WLWI, WLWJ, WLWL, WLWO, WLWR, WLWS, WLWK, W8XAL, W8XFM, W8XCT, WLWN, WLWQ, WLWU & WLWV—The Crosley Corp., Cincinnati, Ohio.—Transfer of control of licensee corporation from Powel Crosley, Jr., *et al.* to The Aviation Corporation (305,100 shares common stock—55.9%). (B2-TC-452)

930 Kilocycles

WKY—WKY Radiophone Co., Oklahoma City, Okla.—License to cover construction permit (B3-P-3114) as modified for increase in power, installation of directional antenna for night use, and move of transmitter. (B3-L-1897)

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Authority to determine operating power by direct measurement of antenna power. (B3-Z-1703)

1340 Kilocycles

WTAL—Capital City Broadcasting Corp., Tallahassee, Fla.—Application for renewal of standard broadcast station license filed.

1400 Kilocycles

NEW—Fayette Associates, Inc., Montgomery, W. Va. (P. O. % Arnold M. Vickers, Montgomery, W. Va.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, with power of 250 watts, and unlimited hours of operation. (B2-P-3876)

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Construction permit to move transmitter and make changes in antenna. (B3-P-3878)

KLUF—The KLUF Broadcasting Co., Inc., Galveston, Texas—Application for renewal of standard broadcast station license filed.

WDEF—WDEF Broadcasting Co., Chattanooga, Tenn.—Application for renewal of standard broadcast station license filed.

WRAK—WRAK, Inc., Williamsport, Pa.—Application for renewal of standard broadcast station license filed.

WSRR—Stephen R. Rintoul, Stamford, Conn.—Application for renewal of standard broadcast station license filed.

1490 Kilocycles

WNLC—Thames Broadcasting Corp., New London, Conn.—Construction permit to install a synchronous amplifier at Norwich, Conn., to be operated on **1490 kc.**, with power of 250 watts, with unlimited hours of operation synchronized with Station WNLC. (B1-P-3874)

WKBZ—Ashbacker Radio Corp., Muskegon, Mich.—Authority to determine operating power by direct measurement of antenna power. (B2-Z-1705)

WELO—Birney Imes, Jr., Tupelo, Miss.—Application for renewal of standard broadcast station license filed.

FM APPLICATIONS

NEW—Don Lee Broadcasting System, San Francisco, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43.5 mc.**, with coverage of 18,050 square miles. AMENDED: to change coverage to 24,500 square miles, change transmitter site from Berkeley, Calif., to Top of Mt. Tamalpias, Marin Co., Calif., change type of transmitter and make changes in antenna.

NEW—West Virginia Broadcasting Corp., Wheeling, W. Va. (P. O. Hawley Bldg., Wheeling, W. Va.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **43.9 mc.**, with coverage of 18,862 square miles. (B2-PH-511)

TELEVISION APPLICATIONS

NEW—Twentieth Century-Fox Corp., New York, N. Y. (P. O. 444 W. 56th St., New York 19, N. Y.)—Construction permit for a new commercial television broadcast station to be operated on Channel #5 (72-78 mc.) as proposed in reallocation or as the Commission may designate within the 40-100 mc. bands, with ESR of 5420.

MISCELLANEOUS APPLICATIONS

WATX—The Regents of the University of Michigan, Ann Arbor, Mich.—Modification of construction permit for extension of completion date from 6-16-45 to 12-16-45. (B2-MPED-22)

KUSC—University of Southern California, Los Angeles, Calif.—Modification of construction permit for extension of commencement and completion dates from 12-21-44 and 6-21-45 to 6-21-45 and 12-21-45, respectively.

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky & Bailey, Georgetown, D. C.—License to cover construction permit for change in transmitter site and change class of station. (B1-LEX-22)

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Lesem Bach & Co., Inc.—A complaint has been issued charging Lesem Bach & Co., Inc., 257 Fourth Ave., New York, with misrepresenting the fiber content of textile fabrics it sells to clothing manufacturers and dealers. The complaint alleges that the respondent company in newspaper advertisements and by other means has represented that its fabrics sold under the trade names "Monte Cristo," "Kohinoor" and "Backadere Gabardine" are composed of wool, when such is not the fact. (5340)

Earl H. Snow and **Pershing R. Snow**, trading as Snow's Hatcheries. The complaint alleges that the respondents, who operate breeding and trap-nesting farms at Sleepy Eye, Minn., have falsely represented, directly or by implication, that they are United States Record of Performance breeders and operate poultry-breeding plants or hatcheries under the supervision of official agents, and that their sired chicks are obtained from flocks headed by wing-banded pedigreed males from an outstanding breeder and meet all requirements of the U. S. R. O. P. program. The complaint alleges that the respondents' principal business is operating a commercial hatchery in which chicks are hatched from eggs largely purchased by them from outside sources. (5339)

National Modes, Inc., National Modes Holding Corporation and John Block. Violation of the brokerage section of the Robinson-Patman Act is alleged in a complaint against National Modes, Inc., National Modes Holding Corp., and John Block, 130 West 31st St., New York. The complaint also names as respondents the manufacturers who pay the brokerage and certain large retail dry goods stores for whom Block and his corporations act as buying agents. The wearing apparel so purchased is promoted and sold by the retailers under registered trade-marks, the principal ones being "Carolyn" and "Jeanne Barrie," which are owned and controlled by National Modes, Inc. (5338)

Ritter Brothers, Inc.—A complaint has been issued charging Ritter Brothers, Inc., 224 West 30th St., New York, with misrepresentation in connection with the sale of women's fur garments, principally those made of mink. It is also charged that the respondent has represented falsely that the trade-mark has been duly registered with the U. S. Patent Office and that the pelts used in the manufacture of the garments came from prize-winning animals. (5341)

H. Wallace Johnston—A complaint has been issued charging H. Wallace Johnston, trading in his own name and under the name "Palm Lodge Tropical Fruit Groves", Homestead, Florida, with false advertising. The complaint alleges, the respondent has represented that Aloe Vera leaves were a competent and adequate treatment for a number of ailments, including arthritis, rheumatism, dyspepsia and constipation. (5337)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Robert W. Hailey, G. P. Hubble and **H. F. Hall**, trading as Cookware Associates, Bucyrus, Ohio, are ordered to discontinue fraudulent practices whereby they accepted orders for aluminum cooking utensils, which they could not deliver, and then refused to cancel the orders or refund down payments, and sought to compel purchasers to accept substitute utensils made of glass or ceramic ware. (5084)

Peck & Hills Furniture Co., Inc., 42 East 32nd St., New York, is ordered to cease and desist from representing that the established retail selling prices at which its products are sold are special or wholesale prices; from using courtesy cards as a means of representing that the holders are enabled to buy the respondent's products for less than the prices customarily charged therefor, or the using in catalogs or on tags attached to the products "list" prices not representing the prices at which the respondent's products are customarily sold in the normal and usual course of business. (5239)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

One-Two-Three Co., Inc., 150 Varick St., New York, agrees to cease using any statement or representation tending to convey the belief that the preparations contain no artificial preservative; that certain of its preparations are especially prepared for use in waters of different degrees of hardness, and to suit the chloride content thereof; the use of any certificate or representation connoting that the preparations have met the requirements of a qualified testing bureau or other generally recognized authority for standards of quality, purity of ingredients or methods of production; or that the products have been approved or endorsed by such authority. The respondent also agrees to cease representing, directly or inferentially, that the preparations are made of the oil or juice of lemons, limes, oranges or other fruits. (4079)

Abraham M. Warren, trading as A. M. Warren & Co., 227 West Van Burn St., Chicago, has stipulated that he will cease and desist from advertising branding, labeling, invoicing or selling products composed in whole or in part of rayon, without clearly disclosing by use of the word "rayon" the fact that they are composed of or contain rayon; and, when a product is composed in part of rayon and in part of fibers or material other than rayon, from failing to disclose, in immediate connection or conjunction with the word "rayon," and in equally conspicuous type, each constituent fiber of the product in the order of its predominance by weight beginning with the largest single constituent. (4082)

West Disinfecting Co., 42-16 West St., Long Island City, N. Y., agrees to cease representing that use of the preparation will prevent dermatitis, that the lanolin content is absorbed by

(Continued on next page)

the skin and will replenish the natural oiliness of the skin, or that the use of the preparation leaves an oil film on the skin or that the lanolin content remains on the skin. It further agrees to cease representing, by use of the word "lanolin" or any pictorial or other representation connoting lanolin, that the inclusion of lanolin in the preparation adds to its cleansing properties or therapeutic value, or representing, by statements such as "away-and-beyond the common concept of an industrial hand cleaner," that the preparation differs materially from all industrial soaps sold in competition with it. (4078)

Edward Sayle, trading as Arrow Publishers, 1674 Broadway New York, has agreed to cease and desist from (1) Selling any abridged copy of a book or publication unless the word "Abridged" appears on the front cover and on the title page in immediate connection with the title and in clear, conspicuous type. If the book has an additional wrapper or cover bearing the title, then the front page of the wrapper shall in like manner bear the word "Abridged" conspicuously displayed. (2) Representing by statements such as "A complete $2 Mystery Novel," or in any other manner, that an abridged book is complete as originally published. (3) Substituting a new title for the original title of a reprinted story unless, whenever used, the substitute title is immediately accompanied, in equally conspicuous type, by the original title. (4083)

Earl J. Kahn, trading as The Weatherman, 430 North Michigan Ave., Chicago, agrees to cease and desist from the use of the word "free" to describe goods when they are not a gratuity and the prospective recipient is required as a consideration to purchase some other article or articles or render some service in order to obtain the same; and from representing, directly or inferentially, that an offer is an "introductory advertising offer" when it is a regular offer. (4081)

Lamport Co., Inc., 365 Broadway, New York, agreed to cease and desist from the use of any statement or representation tending to convey the belief that its products will afford satisfactory wear or service for four years, or any other period of time, or that the measurement of the life of such products in actual use can be determined by "tests" or in any other manner. (4085)

Brewing Industry Foundation, 21 East 40th St., New York, agreed to discontinue disseminating advertisements which contain statements and representations tending to convey the belief that beer is not a fattening product, that it will "help unsnarl tangled nerves," "relieve the strain of modern living" or otherwise be of benefit in conditions which are the result of some definite disease or disorder of the nervous system. (4086)

Brunswick-Balke-Collender Co., Chicago, agrees to stop using in its advertising matter, or in any other manner, statements or representations which tend to convey the belief, when contrary to fact, that any claim of superiority allegedly possessed by its products is based on or supported by an authoritative test that has been made substantially coincident with the time of the dissemination of the advertising matter. The corporation also agrees to discontinue using in its advertising matter any test or excerpt therefrom that may cause the belief, when such is not a fact, that the test involved a comparison of alleged quality of any one of its products with the field of competitive products. (4080)

Progressive Sales Co. (William Heim, Charles Mandell and John Develer, trading as), 1524 Chestnut St., Philadelphia, Pa., stipulate that in the performance of their contracts with customers they will cease and desist from substituting or delivering books or publications other than those specified in the contracts. (4084)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 27, July 6, 1945

"Telling the World" Report No. 7

Local Originations in Support 7th War Loan

Period—June 17-23

(Excluding Network and National Spot)

Sing for the 7th	5-min ET	3,543
Treasury Salutes	15-min ET	3,172
Music for Millions	15-min ET	2,750
Treasury Song for Today	5-min ET	56
Buy, Buy Bonds	3-min ET	422
Spots	Live & ET	116,276
	2-min	2,596
	3-min	948
	4-min	113
Programs	5-min	958
	6-min	10
	7-min	10
	10-min	690
	15-min	1,308
	20-min	21
	25-min	32
	30-min	412
	40-min	10
	45-min	22
	1 hour	31
	1¼ hours	10
	1½ hours	9
	2 hours	2
	3 hours	1

Please send Reports Nos. 8, 7, 6, and 5 if you haven't

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

TRANSCRIPTION RULE CHANGED

In a Special Information Bulletin on FCC Rules, issued coincident with this week's NAB REPORTS, the complete text of the Commission's recent rule regarding the identification of transcriptions and announcements is set forth. Every manager should read this carefully and file it as a part of his rules file.

PORTER PROMISES SPEED

Chairman Paul A. Porter said that the Federal Communications Commission will move with all possible speed to revise present regulations and standards of good engineering practice for the operation of FM, Television and Facsimile Broadcasting in the new allocations announced Wednesday.

As soon as these revised rules and standards are adopted by the Commission, the industry will have all the information it needs from a regulatory standpoint to proceed with the planning and design of new receiving sets and transmitters, Chairman Porter pointed out.

"The Commission expects to confer at an early date with representatives of industry groups with the view to scheduling a meeting sometime in July of all interested parties to formulate the industry's proposals for rules and standards," Chairman Porter said.

"It has been the consistent aim of the Commission from the very beginning of this proceeding to reach a decision in time to permit the industry to prepare to move ahead the moment that manpower and materials become available."

The Chairman added that he was pleased with the reception the Commission's final allocation had been accorded by various representatives of the interests involved.

"We have received gratifying expressions of satisfaction with this allocation," he said. "It is already apparent that the soundness of the allocation is coming to be generally recognized.

"We have had a number of inquiries as to the status of the 420 FM applications and the 119 Television applications now in our pending files. For the time being, these applications must remain in the pending files as there has been no modification of the Freeze Policy (restricting the use of critical materials) which is still in force. We shall, however, keep in daily contact with the War Production Board so that we will be in a position to give immediate notice as to when the Freeze Policy will be modified or cancelled.

"Of course, no standard, FM, Television or Facsimile applications will be finally acted upon for a period of 60 days from the date when the Freeze Policy is changed. Provision for this was made in Paragraph 3 of the Commission's Public Notice of January 25, 1945:

"'3. When manpower and materials again become available and conditions permit the resumption of normal licensing practices, the Commission will make an appropriate announcement and will provide a period of not less than 60 days for the filing and processing of new applications prior to taking any action on the cases retained in the pending files during the period that the statement of policy of January 26, 1944, as supplemented January 16, 1945, was in effect. Provision will also be made for the bringing up to date of all applications retained in the pending files. These procedures, it is believed, will prevent any inequity from resulting to persons who do not file applications during the period that the present policy remains in force.'

"While the foregoing is quoted from the standard broadcast Freeze Policy, the procedure there set forth is equally applicable to the other broadcast services since it is obvious that the same opportunities with respect to providing broadcast service must apply to all. In fact, the 60 day period is applicable to applications for new, or changes in facilities in all, broadcast services. The only type of broadcast construction it does not apply to are cases where the Commission has already specified that certain construction must be done as soon as manpower and materials become available.

"While, except as noted above, no construction permits will be granted until 60 days after a change in the Freeze Policy, the Commission's staff will, in the meantime, get to work on the applications which are in the pending files. In this connection it will not be necessary for persons with pending FM and Television applications, who have supplied full engineering data with reference to the old band, to amend them to conform to the new allocations except with respect to any changes in equipment that are proposed. The Commission's staff will go through these applications as soon as possible and call for whatever further information may be required. Everything possible will be done to eliminate unnecessary procedural steps so that when WPB gives the green light these new industries may go forward without delay.

"Prior to the adoption of revised rules and standards for the FM and Television services, the following suggestions are offered as an aid in the preparation of applications for these services. FM applications having complete engineering studies need not be recomputed to determine the coverage in the new FM band, since, in the majority of cases there will be no material difference in the distances to the 50 microvolt per meter contour in either band. Changes in equipment causing a change in the service area will, of course, require a new engineering study by the applicant. Any changes in areas resulting from the change in frequency will be taken care of in the Commission's processing of such applications. FM applications now in preparation and using the 42-50 Mc coverage chart in the present standards will be accepted by the Commission until August 1, 1945. A chart showing coverage in the new FM band is now being prepared and is expected to be available within the next few weeks; prior to the availability of this chart, however, coverage in the new FM band may be computed by using the 105 Mc coverage chart now available in the television standards. Applicants using this chart should so indicate. Incomplete FM applications now on file must, of course, be completed with complete coverage computed on the basis of the 105 Mc chart or new FM coverage chart. In the event complete FM applications have been filed for the 42-50 Mc band which are found to include major errors, the applicant will likely be requested to complete a full engineering study for the new band. At this time FM applications need not specify a particular channel in the new FM band. Frequencies within the new band

(Continued on next page)

will be selected by the Chief Engineer but applicants will be given an opportunity to state whether they agree to such frequencies in lieu of the ones applied for.

"Television applications for particular channels should be prepared in accordance with the method now prescribed in the television standards, providing for interpolation by using the several charts incorporated therein. A chart for 300 Mc is now available from the Commission upon request. Applications now pending for commercial television stations may be modified for particular channels in accordance with this method. While television applications should specify particular channels and coverage, the Commission in passing on applications may not be able to assign the channel requested.

"No changes are contemplated at this time in the 50 and 500 microvolt per meter contours specified as the limit of service areas for FM and television stations, respectively. This matter will, of course, be reviewed in the standards now under preparation, together with any possible changes in the methods of allocating and assigning facilities."

Chairman Porter also had something to say to FM receiver manufacturers:

"Companies which will manufacture FM receivers should build the sets to cover the entire band from 88 to 108 megacycles. This will make possible the expansion of FM in the event facsimile is ultimately located in the 400 Mc region and vacates the band 106-108. Also, if the public is to enjoy the full capabilities of FM, manufacturers must build receivers which will reject undesired signals and noise up to one half the strength of the desired program.

"While the allocation report is a long step toward preparation for conversion, all of us must keep in mind that the first business at hand is to concentrate on beating Japan as speedily as possible."

FCC SETS INFORMAL ENGINEERING HEARINGS

On Friday (5) George Adair, FCC Chief Engineer, announced that in accordance with the release of June 27, 1945, the Commission proposes to determine Rules and Regulations and Standards of Good Engineering Practice concerning FM, Facsimile, and Television stations at the earliest possible date.

Looking toward this goal, an informal Engineering Hearing will be held July 12, 1945, with respect to FM and Facsimile and July 13, 1945, with respect to Television. The meetings will be held in Conference Room B in the Departmental Auditorium on Constitution Avenue between 13th and 14th Street., N. W., Washington, D. C., at 10:00 a. m.

The discussions will be limited largely to the technical rules and standards. While there may be some discussions of the technical phases of service areas, the policy questions in this connection, as well as other policy questions, will be deferred for further conference or hearing before the Commission.

All engineers interested are urged to attend.

RADIO AIDS N. Y. NEWSPAPERS DURING STRIKE

New York, N. Y.—Radio stations in the New York metropolitan area are being deluged with requests for time due to the local newspaper tieup, caused by striking delivery workers. All stations, including those in nearby New Jersey, have greatly increased their newscasts to provide newspaper subscribers with the content of their favorite local publication.

Several of the papers have purchased time from stations in order to have an outlet for the news gathered by their staffs during each day.

AIRPORT AID BILL REPORTED FAVORABLY

The House Committee on Interstate and Foreign Commerce has reported favorably H. R. 3615 introduced by Chairman Clarence F. Lea. The bill which is for the purpose of providing Federal aid for the development of public airports carries an authorization for the appropriation of $650,000,000 over a period of ten years. Radio antennae towers could be included in the definition of Airport Hazards, which reads as follows: "'Airport hazard' means any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airports, which obstructs the airspace required for the flight of aircraft in landing or taking off at such airport or is otherwise hazardous to such landing or taking off of aircraft." The power of "eminent domain" may be exercised by the Administrator of Civil Aeronautics whenever it is his opinion that any real property or interest therein, or easement through or other interest in airspace, necessary in connection with a project, cannot be acquired by the project sponsor without undue expense or delay. The project sponsor must, however, in such an instance bear the entire cost of acquisition.

The House bill carries a provision for any interested person to afford himself of an opportunity to appeal to the Administrator for a hearing before he makes a final grant. This provision, which appears as Section 8(c) of the bill, reads as follows:

HEARINGS: Project applications shall be public documents in the office of the Administrator. Any public agency, person, association, firm, or corporation having a substantial interest in the disposition of any application by the Administrator may file with the Administrator a memorandum in support of or in opposition to such application; and any such agency, person, association, firm, or corporation shall be accorded, upon request a public hearing with respect to the location of any airport the development of which is proposed. The Administrator is authorized to prescribe regulations governing such public hearings, and such regulations may prescribe a reasonable time within which requests for public hearings shall be made and such other reasonable requirements as may be necessary to avoid undue delay in disposing of project applications.

This protective provision is not contained in the Senate Bill introduced by Senator McCarran. The Senate Bill No. 2 has not as yet passed the Senate but has been reported favorably by the Senate Committee on Commerce, of which Senator Josiah W. Bailey (D), North Carolina, is Chairman.

WILLS CONFIRMATION HEARINGS ANNOUNCED

Senator Burton K. Wheeler (Mont.), Chairman of the Senate Committee on Interstate Commerce, has announced that hearings before that committee on the confirmation of the nomination of former Vermont Governor William H. Wills to serve as a member of the Federal Communications Commission (NAB REPORTS, vol. 13, p. 234), will be held in the Committee Room at the Capitol on Thursday, July 12, at 10:30 a. m.

CASE OPENS LAW OFFICE

Former FCC Commissioner Norman S. Case has announced his association with Col. Frank Wozencraft, former Dallas, Tex., mayor, in opening a new law firm to be known as Case & Wozencraft. Offices are on 15th St., N. W., Washington, D. C.

Although the firm will engage in general legal work, it is announced that particular attention will be given to matters pertaining to communications.

Case, at one time Federal District Atttorney, and former Governor of Rhode Island, completed 11 years service as a member of the Federal Communications Commission on Saturday, July 1.

LAUNCH TEACHER-RADIO-NEWS INTERNSHIPS

Seven university and college teachers of journalism are studying radio journalism at radio news departments of member stations and two more teachers are expected to start this month. The seven radio news internships got under way at mutually agreed starting dates beginning May 28 in Hartford.

Last January, when it was found that few journalism teachers had ever had newsroom experience, the Council on Radio Journalism, sponsored by NAB and the American Association of Schools and Departments of Journalism, concluded that the first step in a far reaching program of improvement in radio news was to teach the teachers who teach the students. A plan of teacher internships was judged correct procedure to accomplish this objective.

Teachers were told that if they would contribute their time to a radio news internship that cooperating stations would take care of their maintenance and other expenses during the three months of study. List of journalism teachers and the broadcast stations where they are studying follows:

Teacher	*Station*
Everett W. Withers Washington and Lee University	WTIC—Hartford
Archie R. Harney University of Idaho	KFI—Los Angeles
Frank E. Schooley University of Illinois	WSYR—Syracuse
Fred M. Parris Kansas State College	WFAA—Dallas
Olaf J. Bue Montana State University	KVOO—Tulsa
Robert Mossholder Omaha University	WOW—Omaha
Elmer F. Beth University of Kansas	KMBC—Kansas City

Teachers to KOIN and WGAR Soon

It is expected that assignment of qualified journalism teachers will soon be made to KOIN, Portland, and to WGAR, Cleveland.

Assignment to opportunities provided by the managements of WGY, Schenectady, WMBD, Peoria, an WSB, Atlanta, will not be made because of the present unavailability of qualified teachers.

Newsmen Needed for Teaching

The president of the American Association of Schools and Departments of Journalism said last week that in the future schools would undoubtedly require the active assistance of radio newsmen for many of the teaching jobs, in view of anticipated attendance, postwar. It has been reported to the NAB news committee that active newsmen are doing an excellent teaching job in Chicago, Minneapolis, New York, Omaha and several other cities.

Station "Professors of Internship"

At each station management has appointed a single qualified individual as the teacher's contact. As the station's "Professor of Internship" this man works closely with the teacher and also directs his contacts with other members of the news staff.

Since all teachers in internship have had considerable practical newspaper experience, they are in a position to absorb, in three months' time, a broad understanding of radio news problems and to acquire considerable "know how" to be reflected in their teaching.

During the coming school year the seven teachers already studying at stations will be able to pass on the knowledge which they will have gained to from 140 to 280 college and university students as calculated on the conservative basis of 20 to 40 students each. Since college students customarily disperse over wide areas of the country, it is apparent that stations everywhere will benefit by this pioneering activity of internship-sponsoring stations. In fact it was on the basis of making a contribution to the industry that cooperating stations were brought into the program.

"Professors of Internship" are:

Tom Eaton, News Director,	WTIC
Don McNamara, Program Director,	KFI
E. R. Vadeboncoeur, News Director,	WSYR
Hugo Speck, News Editor,	WFAA
Soren Munkhoff, News Director,	WOW
Ken Miller, News Director,	KVOO
Earl Smith, News Director,	KMBC

EMPLOYMENT OF VETERANS

As the number of returning veterans increases, employers are reminded that veterans of World War II are exempt from employment stabilization, priority referral and ceiling programs of the WMC. USES offices, however, have been instructed to inform veterans of priority and other essential openings and to offer referral to such veterans as are qualified for and interested in such openings.

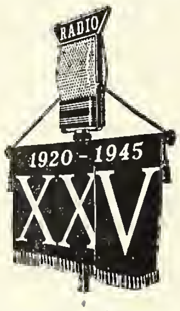
RADIO AGAIN PRAISED

Regarded as the greatest public service job in the history of radio, coverage of the UNCIO Conference, a nine-week stretch involving exacting work by top flight men of the industry, well demonstrated radio's ability to utilize its full potential for operation in the public interest.

Both the State Department and delegates to the Conference have been unstinting in their praise of broadcaster's performance in handling this difficult assignment.

Coming on the heels of the several brilliant and widely commended performances incident to important world events of the past few months, this mounting recognition is especially pleasing to broadcasters, many of whom have expressed satisfaction at the confident and efficient manner in which the increasing height of the hurdles are taken in stride.

XXV ANGLE ADDED TO WESTINGHOUSE FILM



Word comes from W. B. "Mac" McGill, Advertising Manager, Westinghouse Radio Stations, that a special 25th Anniversary "leader" now introduces the Westinghouse sound film *On the Air.*

On the Air has been exhibited to more than 1½ million people during its one year of existence with an even wider showing anticipated in the future.

The Anniversary leader was attached to each of the 200 prints of the film six weeks ago and will continue to preface each showing for the balance of the year.

The leader reads as follows:

(Continued on next page)

"This year marks the 25th year of radio broadcasting and sees the broadcast stations in the nation commemorating this first quarter century of service with . . .

A PLEDGE TO VICTORY

"In the story to follow, you will learn how broadcasting began in 1920 in Pittsburgh, Penna., and how . . . through the passing years . . . it developed to become the worldwide service it is today."

McGill says the above-quoted copy opens with the Anniversary figures "1920-1945" appearing on the screen, one numeral at a time; then the reading matter fades in and starts to "roll-up," until it comes to *A PLEDGE TO VICTORY*, which flashes on in large letters accompanied by a brilliant shower of diamond sparkles; the screen then fades into a roll-up of the remainder of the copy. A large medallion carrying the words "25 Years of Broadcasting" shows constantly in the background.

"EVEN 'DAMNED YANKEES' APPLAUDED WOAI GLOBAL SHOW"

San Antonio's "Let's Go to Town" program, produced under the direction of Task Force Commander Hugh A. L. Halff, WOAI, struck a responsive chord in the heart of Texans and "damned Yankees" alike. Wrote a Navy Lieutenant (j.g.) from Antwerp, Belgium:

"I had the extreme pleasure to hear good old WOAI today. It was swell to hear 'Red River Day' and the others as they sang 'San Antonio Rose,' 'Red River Valley,' 'El Rancho Grande,' etc. It tends to make us a little homesick, but boy it sounds good! That little touch of home atmosphere puts us back in the groove. I can't help but wonder if you people back home realize just how much good that 30-minute program does.

"I am on a ship; have been in Antwerp for several days. I don't come from San Antonio but I'll settle for San Antonio today. I come from Austin. I think I can voice the feelings of all of us Texans, when I say, 'it was grand, keep it up.' Even the 'damned Yankees' sat up and applauded as they listened to the program."

In Mainz, Germany, another Texan heard this program on the same date, June 11. He wrote:

"Just heard one of the best programs I have ever had the pleasure of hearing. It came over our AEF network today, in fact, just a couple of minutes ago, from 1430 to 1500 hours. I had most of the general staff quit work for almost a half hour, so as to listen. It was enjoyed by everybody. I'll spend the rest of the afternoon telling them all about good 'ole San Tone!"

Another soldier wrote from Germany, also within a few minutes after the program ended:

"Today at 1430 hours I heard a swell program on the AEF network called 'Let's Go to Town,' with a taste of San Antonio and gee it was sure nice to hear all those people that I used to hear back there . . . it sort of made me a little homesick but it let me be home for a little while. Thanks for a nice program. Perhaps I'll get to hear another, one of these days."

WRVA'S JACK STONE TO PACIFIC THEATRE

Jack Stone, continuity editor, WRVA, Richmond, is en route to the Pacific theatre as fully accredited radio war correspondent, according to C. T. Lucky, station general manager.

Following his discharge from the Army (Signal Corps) Mr. Stone served with the Office of War Information in London. One of his interesting assignments there was the recording for the Allied War Crimes Commission of testimony, of several members of the French underground, who had been tortured by Gestapo agents.

Mr. Stone plans to record interviews with Virginia men on Luzon, Leyte, Iwo Jima, Okinawa and other stepping stones toward Tokyo. If sufficient material is supplied, the station will carry the interviews daily for the next several months.

NEW RED CROSS ET SERIES

"You Were There" is name of new Red Cross dramatic series which will be ready for broadcast by late September.

Number one of the series will be shipped between July 16-20 to the 650 Red Cross chapters located in radio station cities.

The first show, "Janie's Marine," featuring Peggy Ann Garner of "Date with Judy," "Junior Miss," and "A Tree Grows in Brooklyn."

Purpose in shipping now is to enable program managers to have an early audition of a typical show. The series will run through April 28, 1946.

Federal Communications Commission Action

APPLICATIONS GRANTED

KSJB—John W. Boler (Transferee), Jamestown Broadcasting Co., Inc. (Licensee), Jamestown, N. Dak.—Granted consent to acquisition of control of Jamestown Broadcasting Co., Inc., licensee of station KSJB, by John W. Boler, through the purchase of 72 additional shares of stock to be issued by the licensee corporation for a consideration of $7,200, thereby increasing Boler's interest to 60 per cent. (B4-TC-436)

WCMA—The Corinth Broadcasting Co., Inc., Corinth, Miss.—Approved request for assignment of call letters WCMA to new standard broadcast station.

KFLW—Herald Publishing Co. of Klamath Falls, Klamath Falls, Ore.—Adopted memorandum opinion and order granting modification of construction permit for changes in antenna and change of transmitter and studio locations, subject to the condition that the applicant will satisfy legitimate complaints of blanketing within the 250 mv/m contour, and ordered that a construction permit as thus modified should issue to Herald Pub. Co. of Klamath Falls, pursuant to Commission action of Nov. 21, 1944.

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Adopted an order ordering that the record in the hearing heretofore held in the matter of renewal of license of station WCHS (Docket 6611), be reopened, and the application is designated for further hearing to be held in the Commission's offices at 10 a. m. on July 23, in order to obtain further testimony so that the record in the proceedings hereinbefore held be complete.

WHGB—Herbert Kendrick and G. L. Hash, a partnership, d/b as Harrisburg Broadcasting Co., Harrisburg, Pa.—Granted license to cover construction permit which authorized a new station to operate on **1400 kc.,** 250 watts, unlimited time. The licensee is granted a waiver of Sections 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. Also granted authority to determine operating power by direct measurement of antenna power.

WSAP—Portsmouth Radio Corp., Portsmouth, Va.—Granted license to cover construction permit which authorized installation of a new vertical antenna. Also authority to

(Continued on next page)

determine operating power by direct measurement of antenna power. The authority herein is granted upon the express condition that licensee shall satisfy legitimate complaints of blanketing within the 250 mv/m contour.

KGDM—E. F. Peffer, Stockton, Calif.—Granted authority to make changes in automatic frequency control unit.

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Granted authority to determine operating power by direct measurement of antenna power.

W4XFM—Voice of Alabama, Inc., Birmingham, Ala.—Granted modification of construction permit covering new developmental broadcast station authorized upon an experimental basis only, conditionally, for extension of completion date from 6-30-45 to 7-31-45 only.

MISCELLANEOUS

Jackson City Board of Education, Jackson, Ohio.—Placed in the pending file application for a new noncommercial educational broadcast station.

The following applications were placed in the pending file in accordance with Commission policy of February 23, 1943:

Eastern States Broadcasting Corp., Nr. Bridgeton, N. J.—Construction permit for new FM broadcast station.

Unity Corp., Inc., Lima, Ohio.—Construction permit for new FM broadcast station.

KSTP, Inc., St. Paul, Minn.—Construction permit for new commercial television station.

APPLICATIONS FILED AT FCC

940 Kilocycles

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Modification of license to operate with nighttime directional antenna pattern from 15 minutes before local sunset to 15 minutes after local sunrise during months when average hour of local sunset and/or local sunrise occur on the quarter hour or three quarter hour. (B3-ML-1216)

1130 Kilocycles

WCAR—Pontiac Broadcasting Co., Pontiac, Mich.—Special service authorization to operate from 7 a. m., EST, to local sunrise, with power of 250 watts for the period beginning 9-1-45 and ending 4-1-46. (B2-SSA-131)

WDGY—Dr. George W. Young, Minneapolis, Minn.—Involuntary assignment of license to Mae C. Young. Amended: to change name of assignee to Mae C. Young, executrix of the estate of Dr. George W. Young, deceased. (B4-AL-493)

1200 Kilocycles

WHLD—The Niagara Falls Gazette Publishing Co., Niagara Falls, N. Y.—Construction permit for change in frequency from **1290** to **1200 kc.,** and hours of operation from daytime to limited time. (B1-P-3879)

1230 Kilocycles

WHTB—Voice of Talladega, Inc., Talladega, Ala.—Modification of construction permit (B3-P-3726, which authorized a new standard broadcast station) for changes in antenna. (B3-MP-1810)

KFJB—Marshall Electric Co., Marshalltown, Iowa.—Transfer of control of licensee corporation from Catherine R. Peak, administratrix of estate of Earl N. Peak, deceased, to Kenneth Durham, Robert Root, Joseph Rosenfield, and John Ruan (290 shares common stock—100%). (B4-TC-453)

1400 Kilocycles

WSTN—Charles P. Blackley, Staunton, Va.—Modification of construction permit (B2-P-3285, which authorized a new standard broadcast station) for changes in transmitting equipment and antenna, and approval of studio location. (B2-MP-1811)

1490 Kilocycles

KBST—The Big Spring Herald Broadcasting Co., Big Spring, Tex.—Construction permit to increase power from 100 to 250 watts and make changes in transmitting equipment. (B3-P-3880)

WKIX—Inter-City Advertising Co., Columbia, S. C.—License to cover construction permit (B3-P-3650) as modified, which authorized a new standard broadcast station, and change studio location. (B3-L-1898)

WKIX—Inter-City Advertising Co., Columbia, S. C.—Authority to determine operating power by direct measurement of antenna power. (B3-Z-1706)

FM APPLICATIONS

NEW—Middle Georgia Broadcasting Co., Macon, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.7 mc.,** with coverage of 12,600 square miles. Amended: to change transmitter location. (B3-PH-305 amended)

NEW—Georgia-Alabama Broadcasting Corp., Columbus, Ga. (P. O. 17 West 12th St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **46.3 mc.,** with coverage of 9,500 square miles (B3-PH-514)

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky & Bailey, Washington, D. C.—Assignment of license to WINX Broadcasting Company. (B1-ALEX-1)

WFMN—Edwin H. Armstrong, Alpine, N. J.—Construction permit to change frequency from **43.1** to **92.1 mc.,** install new equipment, make changes in antenna system, and specify coverage of 15,610 square miles. (B1-PH-513)

NEW—John P. Norton, Escanaba, Mich. (P. O. 520 Third Ave., South—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.1 mc.,** with coverage of 1,481 square miles.

NEW—Radio Service Corp., Pocatello, Idaho. (P. O. Yellowstone Highway)—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.3 mc.,** with coverage of 2,245 square miles (B5-PH-512)

NEW—Doughty & Welch Electric Co., Inc., Fall River, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47.3 mc.,** with coverage of 2,120 square miles. Amended: to change name of applicant to The Fall River Broadcasting Co., Inc. (B1-PH-273 amended)

MISCELLANEOUS APPLICATIONS

Mutual Broadcasting System, Inc., Chicago, Ill.—Extension of authority to transmit programs to station CKLW, stations owned and operated by the Canadian Broadcasting Corp., and stations licensed by the Canadian Minister of Transport. (B4-FP-142)

W2XRA—Raytheon Manufacturing Co., New York, N. Y.—License to cover construction permit (B1-PEX-64) which authorized a new developmental broadcast station. (B1-LEX-23)

NEW—University of Houston, Houston, Tex. (P. O. 3801 St. Bernard St.).—Construction permit for a new non-commercial educational broadcast station to be operated on frequency not specified, with power of 1 KW, and special emission. (B3-PED-54)

W3XPR—Philco Radio & Television Corp., area of Philadephia, Pa.—Construction permit to change power from 60 watts peak to 40 watts aural and 40 watts peak visual, change location from area of Philadelphia, Pa., to area of Washington, D. C., Philadelphia, Pa., and New York, N. Y., install new equipment and add A3 emission. (B1-PVB-155)

APPLICATIONS DISMISSED

WEOA—Evansville on the Air, Inc., Evansville, Ind.—Assignment of license to Loma, Inc. (Request of Applicant.)

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Assignment of license to Curtis Radiocasting Corporation. (Request of Applicant.)

(Continued on next page)

WAUT—Evansville on the Air, Inc., Evansville, Ind.—Assignment of license to Curtis Radiocasting Corporation. (Request of Applicant.)

WEQG, WAUY—Evansville on the Air, Inc., area of Evansville, Ind.—Assignment of license to Curtis Radiocasting Corporation. (Request of Applicant.)

WMLL—Evansville on the Air, Inc., Evansville, Ind.—Assignment of license to Curtis Radiocasting Corporation. (Request of Applicant.)

W9XEV—Evansville on the Air. Inc., Evansville, Ind.—Assignment of construction permit (B4-PEX-52) to Curtis Radiocasting Corp. (Request of Applicant.)

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Maritime Milling Co., Inc., Chamber of Commerce Bldg., Buffalo, is charged in a complaint with disseminating advertisements which represent falsely that the preparation it sells under the name of Hunt Club Dog Food contains meat; and that consumption of the product will result in dogs being healthy, vigorous, having strong bone formation, sound teeth, a thick, glossy coat, added resistance to colds and distemper, and will prevent eczema and other types of skin disorders.

The complaint also is directed against Everett L. Bowers, Inc., Ellicott Square, Buffalo, the advertising agency that prepared and caused the dissemination of the advertisements objected to in the complaint. (5343)

National Toilet Co., of Paris Tenn., is charged in a complaint with disseminating advertisements which falsely represent that its Nadinola Bleaching Cream and Nadinola Freckle Cream constitute a competent and adequate treatment for externally caused pimples and various other types of skin blemishes, and that they will remove blackheads and improve the texture of the skin. (5342)

Samuel Lippman, Louis B. Lippman, Floyd Leibowitz and Louis Welscher, trading as Petite Miss Co., 500 Seventh Ave., New York, are charged in a complaint alleging violation of the Federal Trade Commission Act and the Wool Products Labeling Act in connection with the sale of women's and children's coats and suits.

The complaint alleges that the respondents, through the use of the trade name "Ango-Llama," represent that the products so labeled are made wholly or in part of the hair or wool of the llama, when such is not the fact.

The complaint alleges further that the respondents have violated the Wool Products Labeling Act through the use of conflicting labels which tend to mislead and confuse the public as to the fiber content of certain garments.

As another violation of the Wool Act, the complaint alleges that on tags attached to garments the statement "Mfg. 885" appears, representing that the respondents have been assigned an official manufacturer's registered number, as required by the Wool Act. According to the complaint, such a number has never been assigned to the respondents by a Government agency to assign such numbers to manufacturers of woolen products. (5345)

The Pioneer Manufacturing Co., 3053 East 87th St., Cleveland, Ohio, is charged with violation of the Wool Products Labeling Act in connection with the sale of "Woolvet" floor mops.

The complaint alleges that the respondent, through use of the word "Woolvet" and various statements in catalogs and on labels, represents that the mops are composed of wool or of a combination of wool, rayon, silk and cotton, when actually, many of them are made entirely of cotton, and many others contain no wool. (5344)

Joseph H. Meyer Bros., 389 Fifth Avenue, New York (5346); David Genser, Max Genser, Ida Genser, Ada Genser, Wallace Genser and Shirley R. Cohen, trading as Genser Manufacturing Company, 45 Waldo Street, Providence, R. I. (5347); Joseph Goldstone and Esther Goldstone, trading as Imperial Pearl Syndicate, 5 North Wabash Avenue, Chicago (5348), and D. Lisner & Company, 303 Fifth Avenue, New York (5349).

Imperial Pearl Syndicate imports and sells cultured pearls imported from Japan and other countries. These pearls, the complaint charges, are graded, matched, and restrung for use in pearl necklaces, earrings, brooches and rings. When received, such products are all labeled or marked with the word "Japan" or "Made in Japan" or other words indicating the country of origin, which words or marks are removed before being sold by the respondents.

The other respondents, according to the complaints, import from Japan, Spain and other countries, large quantities of imitation pearls, bead bases for the manufacture of imitation pearls, and cultured pearls. Joseph H. Meyer Bros., operates a factory in Brooklyn, where it causes bead bases of both domestic and foreign origin to be finished, by dipping or spraying the products in a solution. In advertisements the respondent displays the words "Richelieu Pearls" in a large conspicuous type, and the word "simulated" appears in much smaller type at some other place in the advertisement not connected with or in close proximity to the words "Richelieu Pearls." The respondent thereby represents that its Richelieu Pearls are genuine when actually they are imitation pearls.

The Genser Manufacturing Company also is alleged to operate a factory where imported base beads are finished to imitate pearls, and sells them after all words or marks indicating their foreign origin have been removed.

D. Lisner & Company also is charged with removing all words and marks from the products which indicate their foreign origin.

The practice of the respective respondents, the complaint alleges, of selling and distributing products of Japanese, Spanish and other foreign origin without labeling or marking to indicate their origin to purchasers, misleads and deceives said purchasers and places in the hands of retailers a means and instrumentality to mislead and deceive members of the consuming pubilc, many of whom have a decided preference for products of American manufacture and origin as distinguished from products of Japenese manufacture and origin. (5346-5347-5348-5349)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Louis Goldberg, trading as Acme and as Acme Mail Order House, 120 East Broadway, New York City, has been ordered to cease and desist from using the words "wool" or "all wool," either alone or in connection with any other words, to designate or refer to any garment not composed entirely of wool; or the word "silk," either alone or with other words, to designate or describe any garment not composed entirely of silk.

The order also directs the respondent to cease and desist from representing that the proportion of new and unused merchandise or of merchandise obtained from bankrupt or close-out sales is greater than it is; that garments in an advanced state of wear are only slightly used or that the condition of second-hand garments is materially better than it is; that used or second-hand garments have been cleaned, pressed or repaired, unless such is the fact; or that any used or second-hand garment is new or unused, by failing to clearly disclose its actual condition or by failing to attach securely to the garment a tag or label conspicuously revealing that the garment is used or second-hand. (5023)

Joseph Triner Corp., 1333 South Ashland Ave., Chicago, is prohibited from representing that Triner's Bitter Wine, Triner's Bitter Wine with Vitamin B_1, and Triner's American Elixir of Bitter Wine cleanses the stomach or intestines or keeps the intestines clean; that it will raise the general vitality of the body, increase resistance to germs or prevent or aid in the prevention of

(Continued on next page)

colds; or that it is a cure or remedy for stomach disorders, poor appetite, faulty digestion, headache, nervousness, fatigue, insomnia, or has any therapeutic value in the treatment of such conditions in excess of providing temporary relief from headaches due to constipation.

The respondent also is ordered to cease disseminating any advertisement which fails to reveal that the preparation should not be used in the presence of symptoms of appendicitis; provided, however, that the advertisement need contain only the statement "Caution: Use Only As Directed." (5227)

Book Paper Manufacturers Association, New York City, and 42 member manufacturers said to represent approximately 80 per cent of the production capacity of the entire industry, have been ordered to cease and desist from continuing or entering into any conspiracy or combination to fix uniform prices for book paper and deprive private and governmental purchasers of the benefits of price competition. The order also is directed against the officers and executive committee of the Association.

Despite the variety of and the many differences in book papers, the Commission finds that the respondents have succeeded in maintaining price uniformity to a remarkable degree through the use of base prices to which various differentials are applied.

The order is directed against the manufacturers who are or were members of the Association during the period covered by the complaint.

The Commission's order directs the respondents to cease and desist from entering into, continuing or carrying out any planned common course of action, combination or conspiracy to engage in any of the following practices:

(1) Fixing or maintaining uniform prices, discounts, terms or conditions of sale for any kind or grade of book paper, or in any manner fixing or establishing any prices, discounts, terms or conditions of sale.

(2) Exchanging or relaying, directly or through the Book Paper Manufacturers Association, or any other agency, price lists or other information as to current prices, discounts, terms or conditions of sale, for the purpose or with the effect of restraining price competition in the sale of book paper; or exchanging or relaying, directly or through the Association, or any other agency, information as to future prices, discounts, terms or conditions of sale to be quoted for book paper.

(3) Using in the quotation and sale of book paper the differentials in price for variations in color, weight, size, finish, trim, packing, type or quantity of such paper heretofore fixed, as found in this proceeding; or fixing or maintaining any differentials in price for any such variations.

(4) Using in the quotation and sale of book paper the geographical zones, or the price differentials between such zones heretofore fixed for pricing purposes, as found in this proceeding, or establishing or maintaining any geographical areas for pricing purposes or any differentials in price between any such areas.

(5) Preparing, distributing or using any uniform or standard form of contract which contains provisions in aid or support of any of the practices prohibited in the other paragraphs of this order.

The Commission dismissed the complaint as to Miamisburg Paper Co., Miamisburg, Ohio, as it is no longer in business. It closed the case without prejudice as to Miami Valley Coated Paper Co., Franklin, Ohio, which went into receivership; as to Stecher-Traung Lithograph Co., Rochester, N. Y., which was not found to be engaged in the sale of book paper for commercial purposes; and as to R. S. Berry, former secretary of the Association, but who has not been connected with it for a number of years. (3760)

STIPULATION

During the past week the Commission has announced the following amended stipulation:

Cramer Chemical Co., Gardner, Kans., amended the stipulation by striking out the statement:

> *"Athletic Foot Ointment*
> Effective in treating Athlete's
> Foot, gym itch and ringworm.

> As there are deep-seated cases of athlete's foot and ringworm which could not be adequately treated by a preparation of this composition, reference to these conditions should clearly point out that it will not act advantageously where the resistant organisms are deep in the tissues."

and also the inhibition which prevented the respondent from representing

> "That its Athletic Foot Ointment is effective in treating athlete's foot or ringworm, unless it be clearly indicated that there are deep-seated cases of such condition for which it would not serve as an adequate or competent treatment."

It is further stipulated by the respondent that all the terms and conditions of the stipulation as thus amended shall remain in full force and effect. (3772)

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 28, July 13, 1945

"Telling the World" Report No. 8

Local Originations in Support 7th War Loan — Final Period — June 24-30

(Excluding Network and National Spot)

Sing for the 7th	5-min ET	3,584
Treasury Salutes	15-min ET	3,203
Music for Millions	15-min ET	2,894
Treasury Song for Today	5-min ET	53
Buy, Buy Bonds	3-min ET	196
Spots	Live & ET	85,326
	2-min	3,234
	3-min	1,267
	4-min	158
Programs	5-min	1,257
	7-min	82
	10-min	567
	15-min	1,288
	20-min	12
	25-min	25
	30-min	474
	35-min	2
	45-min	24
	1 hour	41
	1¼ hours	2
	1½ hours	16
	2 hours	18
	2¼ hours	3
	3 hours	3
	4 hours	1
	5½ hours	2
	6 hours	1

Sincere thanks to all of you who made these Reports possible.
Total industry dollar volume figures come next.

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

FCC SETS HEARING ON FM RULES-REGULATIONS

On Wednesday (11) the Federal Communications Commission issued an order setting July 23 as the date for a public hearing on proposed FM rules and regulations. The Order further fixed July 19 as the final day upon which notices of appearance and briefs must be filed. The full text of the Order follows:

Docket No. 6768
In the Matter of
PROMULGATION OF RULES AND REGULATIONS AND STANDARDS OF GOOD ENGINEERING PRACTICE FOR FM BROADCASTING OTHER THAN NON-COMMERCIAL EDUCATIONAL BROADCAST SERVICE

ORDER

WHEREAS, the Commission on June 27, 1945, issued its final report allocating frequencies for FM broadcasting;

WHEREAS, it is desirable that rules and regulations and standards of good engineering practice concerning FM broadcasting should be promulgated as soon as possible; and

WHEREAS, the Commission has heretofore called an informal engineering conference for the purpose of discussing technical matters involved in standards of good engineering practice for FM broadcasting.

NOW, THEREFORE, IT IS ORDERED, This 10th day of July, 1945, that a hearing be held before the Commission *en banc* beginning at 10:30 a. m., July 23, 1945, for the purpose of considering the promulgation of rules and regulations and standards of good engineering practice concerning FM broadcasting. Persons desiring to appear at that hearing should file an appearance with the Commission on or before July 19 indicating the name of the person who will appear, the subject matter concerning which he will testify, and the length of time desired. Any person desiring to file a brief should file 25 copies with the Commission on or before July 19, 1945.

In order to give scope and direction to the hearing, set forth below is the substance of suggested rules and regulations concerning the principal subjects to be considered by the Commission. Persons appearing at the hearing should address themselves to these suggested regulations and should indicate with particularity any objection they have to the regulations and any specific suggestions they have for any change in, or alternative to, regulations.

The suggested regulations are as follows:

(1) *Minimum Operating Schedule*—All FM stations will be licensed for unlimited time operation and initially will be required to operate a minimum of 6 hours per day.

(2) *Program duplication*—FM stations shall devote a minimum of one hour each day during the period 8:00 a. m. to 6:00 p. m. and one hour each day during the period 6 p. m. to 11:00 p. m. to programs not duplicated simultaneously in the same area by any standard broadcast station or by any FM station. During these two one-hour periods a service utilizing the full fidelity capability of the FM station shall be rendered.

(3) *Multiple Ownership*—(a) No person (including all persons under common control) [1] shall, directly or indirectly, own, operate, or control more than one FM broadcast station that would serve substantially the same service area as another FM broadcast station owned, operated, or controlled by such person.

(b) No person (including all persons under common control) shall, directly or indirectly, own, operate, or control more than one FM broadcast station, except upon a showing (1) that such ownership, operation, or control would foster competition among FM broadcast stations or provide an FM broadcasting service distinct and separate from existing services, and (2) that such ownership, operation, or control would not result in the concentration of control of FM broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity; *provided, however,* that the Commission will consider the ownership, operation, or control of more than six FM broadcast stations to constitute the concentration of control of FM broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity.

(4) *Ownership of FM Stations by Licensees of AM Stations*—Licensees of AM stations on appropriate application may be permitted to operate FM stations. Comment is invited whether the Commission should adopt a regulation that in the future when FM becomes an established competitive service with AM, no person or persons under common control will be permitted to own, operate or control, directly or indirectly, more than one AM or FM station serving substantially the same service area.

(5) *Network regulations*—Regulations 3.101-3.108 which are presently applicable to standard broadcast stations only shall also be applicable to FM stations.

(6) *Use of common antenna sites*—Wherever it is shown that the antenna site of a licensee or applicant is peculiarly suitable for FM broadcasting in a particular area and that there is no other comparable site available in the area, such licensee or applicant as a condition of being issued a license or renewal of license shall be required to make the use of his antenna site available to other FM licensees upon the payment of a reasonable rental and upon a showing that the shared use of the antenna site will permit satisfactory operation of all stations concerned.

(7) *Booster Stations*—Comment is requested concerning the extent to which the Commission should authorize or require the use of booster stations.

(8) *Reservation of 20 Channels*—The Commission indicated in its report of May 25, 1945, that 20 FM channels may be reserved from assignment at the present time to be licensed in the future in accordance with rules and regulations subsequently to be promulgated. Comment is invited concerning the rules and regulations which should be adopted in this matter.

(9) *Facsimile broadcasting and multiplex transmission*—Transmission of simplex facsimile on FM channels in accordance with the Commission's Standards of Good Engineering Practice on facsimile may be permitted, upon application to the Commission, during hours not required to be devoted to FM aural broadcasting. The Commission may grant experimental authority to an FM station for the multiplex transmission of facsimile and aural broadcast programs, provided that the facsimile transmission is incidental to the aural broadcast, does not reduce the quality of the aural program, and that a filter or other additional equipment is not required for receivers not equipped for facsimile service.

(10) *Allocation Plan*—The 70 channels available for FM broadcasting shall be divided as follows:

(a) *Community Stations*—A community station is designed to render service to small cities or to communities located in a metropolitan district or adjacent to a metropolitan district. Community stations will be limited to a maximum radiated power of 50 watts and a maximum antenna height of 250 feet over the average height of the 1000 uv/m contour. Upon a proper showing that an

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[1] The word "control" as used herein is not limited to majority stock ownership, but includes actual working control in whatever manner exercised.

(Continued on next page)

antenna height in excess of 250 feet is necessary, authorization will be issued for such higher antenna but the Commission may in such cases require a reduction in radiated power. The 1000 uv/m contour of a community station, which is located in a community within a metropolitan district, shall not include the business district of the principal city. A minimum separation of 50 miles will be provided in the case of community stations on the same channel and a minimum of 25 miles on adjacent channels. Insofar as possible, community stations will be allocated on the basis of multiples of these distances with the maximum separation possible. The main studio shall be located in the city or town served and transmitters shall be located as near the center of the city as practicable. The following 10 frequencies will be allocated for these community stations:

Megacycles	*Megacycles*
92.1	93.1
92.3	93.3
92.5	93.5
92.7	93.7
92.9	93.9*

(*This frequency will not be assigned within metropolitan districts or within communities near a principal city.)

(b) *Metropolitan Stations*—Metropolitan stations are designed to render service to a metropolitan district or to a principal city, and to the rural area surrounding such metropolitan district or principal city. The main studio of metropolitan stations shall be located in the principal city served. Metropolitan stations must place a 20 uv/m signal on the outer boundary of the service area determined for the district or area in question. The first service area will be determined by the Commission for the first station licensee in the area in question, and all additional stations must serve the same area as the first station unless an adequate showing is made that a different area is proper, in which case all stations will be required to adjust their service areas accordingly. In determining service areas, the Commission will give consideration to trade areas,[2] terrain, population distribution, *economics* and other pertinent factors.

In addition to the foregoing service area for metropolitan stations, the Commission will, upon appropriate application, designate extended service areas which metropolitan stations may be authorized to serve. In determining the boundaries of these extended service areas a showing will be required that the service area added does not contain any metropolitan district or principal city and is predominantly rural in character; that no interference will be caused to the service area of existing stations or that if such interference will result the need for service of the population proposed to be served outweighs the needs of those who will lose service; and that competition will not be impaired by a grant of the application. Other licensees of metropolitan stations in the same area will not be required to serve this extended service area, but will be required to serve the entire extended service area if they desire to serve any part of it.

The frequencies which will be available for assignment to metropolitan stations are as follows:

Megacycles	*Megacycles*	*Megacycles*	*Megacycles*	*Megacycles*
94.1	96.1	98.1	100.1	102.1
94.3	96.3	98.3	100.3	102.3
94.5	96.5	98.5	100.5	102.5
94.7	96.7	98.7	100.7	102.7
94.9	96.9	98.9	100.9	102.9
95.1	97.1	99.1	101.1	103.1
95.3	97.3	99.3	101.3	103.3
95.5	97.5	99.5	101.5	103.5
95.7	97.7	99.7	101.7	103.7
95.9	97.9	99.9	101.9	103.9

TRUMAN EXTOLS AMERICAN SYSTEM OF BROADCASTING

With this week's issue of the NAB REPORTS we are sending to each member station a facsimile copy of President Truman's letter of July 3 to Mr. Sol Taishoff, Editor and Publisher of "Broadcasting" Magazine. This expression of views by President Truman is felt to be of such significance and importance that many broadcasters may desire to have it framed for display in their offices or studios.

There are a limited number of additional copies available to replace any which may arrive in damaged condition.

NAB is indebted to Mr. Taishoff and "Broadcasting" Magazine for their courtesy in making this letter available for engraving.

(c) *Rural Stations*—A rural station is designed to render service to wide rural areas[3] which cannot be served by a metropolitan station. Rural stations shall not be permitted to render a signal of 500 uv/m or better in any metropolitan district unless a proper showing is made to the Commission that due to considerations of terrain it will be possible by permitting a signal in excess of 500 uv/m to a metropolitan district to render more extended service to unserved rural areas than would otherwise be possible. In such situations rural stations may render a signal not in excess of 1,000 uv/m to a metropolitan district. In no case will rural stations be permitted to render a signal greater than 500 uv/m to more than one metropolitan district. Directional antennas may be used by rural stations to increase service to rural areas and to reduce service in metropolitan areas.

The frequencies available for rural stations are as follows:

Megacycles	*Megacycles*
104.1	105.1
104.3	105.3
104.5	105.5
104.7	105.7
104.9	105.9

Federal Communications Commission,

T. J. Slowie,
Secretary.

FM TRANSITION OPERATION AUTHORIZED

On Thursday (12) the Federal Communications Commission issued a public notice setting forth the terms and conditions upon which existing FM stations in the 42-50 mc. band may continue to operate. The notice further provides for issuance of temporary authorization to existing stations to also operate in the 88-106 mc. band. The full test of the notice follows:

In previous reports of the Federal Communications Commission dealing with frequency allocations above 25,000 kc., provision was made for the temporary operation of existing FM stations in the 42-50 mc. band until such time as receivers for 88-106 mc. are available in the area to be served. Until such time, temporary operation in *both* bands is encouraged. Accordingly, any licensee desiring to operate in the new band may informally apply to the

(Continued on next page)

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[2] There are several current and recognized authorities on retail trading areas or consumer trading areas from which the applicant may prepare its showing and to which the Commission will give consideration in making its determination. Among these recognized authorities are the following: J. Walter Thompson (Retail Shopping Areas), Hearst Magazines, Inc. (Consumer Trading Areas), Rand McNally Map Co. (Trading Areas), and Hagstrom Map Co.'s Four Color Retail Trading Area Map.

[3] "Rural area" means all land area outside incorporated towns or cities with population greater than 2,500 and where the density of population is less than 150 per square mile. Incorporated towns or cities with population from 2,500 to 5,000 without an FM broadcast station and not adjacent to larger cities may be considered rural areas.

Commission for the temporary assignment of a frequency in the 88-106 mc. region until such time as rules, regulations and standards for FM are finally adopted. Since the FM rules and standards are currently under discussion and may be subject to change or modification prior to regular operation in this band, a temporary authorization to operate in the 88-106 mc. region will not be a determination of the coverage, power, or other factors relating to the assignment that existing stations will eventually be given in the new band.

Requests for temporary operation in the new band should include a description of the proposed transmitting equipment, output power, antenna system, and monitoring equipment or methods. Special authorizations will be issued for 90 day periods for such operation by the Chief Engineer, and assignments will be subject to change.

Interim operation in the 42-50 mc. range is for the temporary use of existing stations only and no additional construction permits will be issued for new FM stations in this band. As soon as FM receivers covering 88-106 mc. are generally available in the areas now receiving FM service, the 42-50 mc. band will be closed to FM broadcast operation. It is of course not possible to predict at this time the date that full conversion to the new band will be required. However, since all FM stations will be required to operate in the 88-106 mc. band, as soon as possible no new receivers need be made hereafter for the 42-50 mc. region.

Until such time as a television station is authorized to operate in the 44-50 mc. band (Channel No. 1) in the region served by an existing FM licensee, it will not be necessary for an FM station to move to the 42-44 mc. band suggested in the Commission's final allocation report. Since the construction and operation of new television stations will take considerable time following the removal of War Production Board restrictions, it is likely that in most cases FM stations will move from their present assignments directly to the 88-106 mc. band when new receivers are available.

WIGGLESWORTH INTRODUCES "FREE SPEECH" BILL

Representative Richard B. Wigglesworth (R), Massachusetts, has introduced in the U. S. House of Representatives H. R. 3716 which is entitled A Bill "To further protect freedom of speech over radio."

The bill has been referred to the House Committee on Interstate and Foreign Commerce. The text follows:

A BILL

"To further protect freedom of speech over radio:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 326 of the Communications Act of 1934, as amended, is amended to read as follows:

"CENSORSHIP; INDECENT LANGUAGE; FREEDOM OF SPEECH

"SEC. 326. (a) Nothing in this Act shall be understood or construed to give the Commission the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the Commission which shall interfere with the right of free speech by means of radio communication. No person within the jurisdiction of the United States shall utter any obscene, indecent, or profane language by means of radio communication, or by means of radio communication advocate the overthrow of the Government of the United States by force or violence.

"(b) In order that freedom of speech over the radio, and the right to indulge in and make legitimate and proper comment concerning matters of national interest, may be guaranteed and preserved for all regardless of point of view, no radio station shall——

"(1) deny any citizen of the United States access to, or the right to use, its radio communication facilities; or

"(2) in connection with its radio station activities discriminate in any manner against any citizen of the United States;

by reason of any opinion, conclusion, statement, or comment to be expressed or made by him which is not prohibited by subsection (a), or theretofore expressed or made by him which is not so prohibited, in respect of any matter or thing pertaining to or affecting the policies or interests of the Government of the United States, or the policies or interests of any agency or instrumentality thereof.

"(c) Any citizen of the United States who alleges that he has been denied access to, or the right to use, radio communication facilities in violation of subsection (b), or has been discriminated against in violation of subsection (b), and who is aggrieved thereby, may bring an action against the radio station concerned in the district court of the United States for the district in which such radio station is situated, for an injunction, mandatory or otherwise, to enjoin such violation and to compel compliance with the provisions of subsection (b), and for such further relief (including compensatory damages) as may be appropriate. Such court shall have jurisdiction of the proceeding, and shall make and enter such orders, temporary or final, and such judgments (including judgment for compensatory damages) as the court deems proper.

"(d) The Commission shall not have power to deny, to fail to renew, to modify, or to revoke, a license under this Act in the case of any applicant or licensee, or otherwise to discriminate against any applicant or licensee, by reason of any action of the applicant or licensee which constituted compliance with the provisions of subsection (b), or by reason of any opinion, conclusion, statement, or comment expressed or made by such applicant or licensee, or by any officer or employee of such applicant or licensee, in respect of any matter or thing pertaining to or affecting the policies or interests of the Government of the United States, or the policies or interests of any agency or instrumentality thereof."

COMMITTEE HEARS WILLS

Former Governor William H. Wills (R.-Vt.) who was recently named by President Truman to succeed Norman S. Case as a member of the Federal Communications Commission (NAB REPORTS, page 234) was heard before the Interstate Commerce Committee on Thursday (12). It is understood that the Committee made a favorable report and it will probably be acted upon by the Senate shortly.

72 "FUEL SAVING" SPOTS MAY BE SPONSORED

Because of the urgent need for people in each locality to take every possible step this summer to keep reasonably warm next winter on limited, wartime fuel quotas, the Solid Fuels Administration for War is making available to radio stations seventy-two recorded spots, mostly dramatized, for sponsorship by business concerns selling fuel-saving materials and services.

Send Request to OWI-Regional

"I cannot emphasize too strongly the importance to the warmth and health of the public of widespread use of these recordings," said Deputy Administrator C. J. Potter in announcing that they could be obtained, without cost, about July 15 through certain regional OWI offices.

The messages on the platters are designed particularly for fuel users in most states east of the Mississippi River and areas west of the river where the scarcer varieties of solid fuels are widely used. They will be distributed in this territory only.

Messages average 30 seconds in length and leave time for "live" commercials by station announcers.

State Conservation Directors have been asked by Mr. Potter to notify business groups that the advertising platters will be available through radio stations.

RADIO AND THE PRESS

Broadcasters and publishers alike have long deplored a minority tendency to involve the allied media of radio and press in self-damaging squabbles that divert priceless unity of attention from their common task of serving the public welfare while, at the same time, maintaining intact the foundation of freedom upon which this service rests.

Of interest in this connection is a level-headed bit of thinking by J. S. Qualey, who takes over for a vacationing radio editor in the July 9 issue of *PM*. Mr. Qualey comments as follows:

"Occasionally this hack has been asked whatever became of those shrieking extras that used to hit the street so often back in the twenties.

"The answer is that radio ate them up. And a good thing, too, because they were always a nuisance and often a fraud.

"Now, what follows here may be treason to the profession, but there is a point in saying it. The newspaper, despite all its wonderful gadgets for getting out the news fast, just can't compete with radio in dishing it up piping hot. Radio can run a flash through the country in the length of time it takes the news office to shoot a piece of copy down a pneumatic tube to the composing room. For breaking spot news, radio is the efficient medium and has the field to itself. And radio, still being in its infancy, will loom larger and larger in the spot news dispensing field as it grows up.

"This certain influence of radio is bound to continue shaping the form of the press of the future. Don't get me wrong, radio will not replace the newspaper. The people will always have an appetite for the written word. But just as radio eliminated the old-time extra, radio will make the newspaper of tomorrow something different, and better, than it is today.

"Back in my late 'teens, as I recall it now, most of my interest was kidnaped by sports. I was particularly cracked about football. But seeing the big games was not enough; I'd stay up late at night to catch the bulldog editions of every paper published in the Midwest city in which I lived. I wanted to read every word I could find about the game I had watched so intently earlier in the day.

"As time went along I found this was not a curious habit but the most human of behavior. People who see news happen are more anxious to read about it than others removed from the scene. People who catch snatches of news out of the air have their taste whetted for more information; they want to confirm it and read about it in print. This is journalism's ace in the hole. Thus, radio, instead of being a threat to a progressive press, is really abetting it.

"It is reasonable to predict that a newspaper's old function of getting the news out first increasingly will be replaced by the more intelligent service of presenting fuller, wider, more honest and interpretive coverage of current history.

"Even in recent years the old idea of complete news objectivity (as if such a thing were ever possible) has been gradually abandoned. Columnists have sprung up like tares. Think-stuff is taking over more and more columns. The press, for an interim period almost bare of by-lines, now is increasingly running signers on most stories of any length or importance. Already radio has helped bring back to the daily newspapers that touch of personal journalism which made the great newspapers great.

"This is a healthy trend.

"A newspaper's duty to the public is not only the gathering and dispensing of events of the day. It has an obligation to enlighten and inform and teach and lead. If it is a true tool of democracy it must sound out the truth to its utmost; it must expose deceit and promote the common good.

"By relieving the modern press of the necessity of getting out history while it is cooking, radio has done a distinct service. It allows the newspapers time and space to devote to the more serious side of journalism.

"One of the reasons this writer feels that *PM* has a solid future is that it typifies the new style of journalism that radio can never touch."

COMMENT ON BROADCASTS

The following comment on the service offered by broadcasters in rebroadcasting programs appeared in a recent issue of the *Washington Star:*

"We didn't hear radio's account of Gen. 'Ike's' arrival and parade Monday, being too busy at the time standing on the steps of The Star Building to cheer him. Those who did, however, tell us it was in every way up to the high standards set by the air coverage of previous auspicious events.

"Hearing the Eisenhower address to Congress was another matter. The office radio which we thought infallible proved otherwise. Only that custom called the rebroadcast saved us a bitter disappointment.

"This rebroadcasting of important happenings at an evening hour is a real public service gladly performed at great expense by radio stations. It is impossible to quote specific figures because no two rebroadcasts are alike. If a rebroadcast is aired at a late evening hour when a regular network show should have been presented instead, the cost in refunds to the sponsor of throwing that program out is high. A rebroadcast put on at a different hour may not cost the station quite so dearly because the program replaced may not be so expensive. The point is that in every case rebroadcasting an important event does cost the individual radio stations anywhere from hundreds to thousands of dollars.

"In addition the expense to local stations of covering a special event is enormous. Setting up equipment at vantage points, operating mobile units, paying any talent involved and discarding regularly scheduled. and paid for, programs runs up a total of thousands. Both this and the cost of rebroadcasts are, however, red ink on the ledger willingly charged up to loss sustained serving the best interests of the public."

RADIO
1920-1945
XXV

KIWANIS PUBLISHES HIGHLIGHTS OF KIWANIS RADIO WEEK

Included with this isue of NAB Reports is Special Twenty-Fifth Anniversary Bulletin No. 12, which consists of a NAB cover containing an eight page pamphlet published by Kiwanis International entitled "Highlights of Kiwanis Radio Week."

Extra copies were furnished NAB so that all broadcasting stations might be supplied.

The Special Twenty-Fifth Anniversary bulletin cover was added so that the Kiwanis' excellent summary of this observance would be sure to become a permanent part of NAB Reports.

Thanks to stations and networks, NAB has a large file of photos, program scripts, clippings, letters and reports on Kiwanis Radio Week which will become a part of headquarters records.

WALLIS SHIPS GLOBAL SHOW

Masters of a Philadelphia "Let's Go to Town" program, produced by Task Force Commander Ed Wallis, WIP, program director, are en route to AFRS and should arrive by Monday next.

AFRS is anxious to receive more "Let's Go to Town" programs and is preparing a list of cities from which additional programs will be sought.

KOIL LISTS BOND BUYERS

During 7th War Loan KOIL, Omaha, broadcast a 12:30-1:00 p. m., Monday through Friday, bond selling show, called "King KOIL Command." This was a musical request program which used the entire KOIL staff plus prominent Omaha and Council Bluffs personalities as guest stars. Listeners called during program and bought bonds to have their favorite personality perform. Station kept exact list of buyers of all bonds sold. Smallest sale was $25 and the largest $2,000 in Es. Total sales—$42,375.

ABSIE DIES

ABSIE, American Broadcasting Station In Europe, first foreign station to operate on English soil, signed off on July 4. This terminated an existence of 14 months.

ABSIE went on the air April 30, 1944. During its operation it beamed instructions to the European Underground, beamed American propaganda to the Continent, and SHAEF advice to noncombatants.

WRVA CORRESPONDENT TO THE PACIFIC

RICHMOND, VA.—Continuity Editor Jack Stone, WRVA, has gone to the Pacific to contact Virginia's fighting men for interviews and broadcasts in order that the folks at home may hear them and know the job their men are doing.

He will carry WRVA's microphones to Luzon, Leyte. Iwo Jima, Okinawa, to the ships of the Pacific Fleet, in fact wherever there is action and men representing the Old Dominion.

Realizing the morale-building value of this project, the War Department has extended its full cooperation to WRVA in expediting Stone's journey to the Zone of Operations. The Army will speed him by air via the island stepping-stones in the Pacific.

WRVA plans to have the voices of Virginia service men on the air by the middle of this month. A definite schedule has not been set up at this time, however, it is expected that these broadcasts will be made in morning and late afternoon programs.

NO NEWSMEN ALLOWED

American occupation troops marching into Berlin were accompanied by dozens of newsmen from radio and press.

They're barred from big three meetings.

White House Press Secretary Charles G. Ross says official communiques will be issued "as may be decided upon from time to time."

"THIS IS BERLIN" AGAIN ON AIR

For the first time since 1941, American correspondents again are being heard in the U. S. with Berlin as a point of origin for their broadcasts.

After a suspension of almost four years, resumption of open broadcasts came at 9 a. m. (EWT), July 2, with a description of the entry of the Second Armored Division, the first American troops to enter Berlin.

RADIO MAN DECORATED

Four years ago, Lt. Dean Morgan Schmitter, assistant program director and staff announcer of KWKH, Shreveport, La., deserted the air waves for the air ways by signing up with the United States Navy. After serving for months in the Caribbean on bomber patrol duty, his squadron was ordered to the Pacific War Theatre. His service there is reflected in the several citations bestowed on him, June 2, 1945. For heroism in aerial flight against enemy convoy, January, 1945, he received the *Distinguished Flying Cross;* for meritorious achievement while engaged in aerial flight against the enemy in the vicinity of Luzon, October 28, 1944, he won the *Navy Air Medal;* and for outstanding heroism while engaged in another battle in the Philippine area, he was awarded the *Gold Star Award;* in lieu of a second *Air Medal.* It was further stated that: "his skill and courage were at all times in keeping with the highest traditions of the United States Navy Service." Lt. Schmitter is now stationed at Daytona Beach, Florida. His wife is the daughter of Dorohty Lewis of NAB, coordinator of Listener Activity.

955 STANDARD BROADCAST STATIONS

During the month of June, 1945, the FCC licensed three stations to operate and issued four new construction permits. A comparative table of the number of standard broadcast stations by months, follows:

	1944						1945						
	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1
Operating	912	913	912	914	916	919	919	921	923	924	925	928	931
Construction	12	13	16	15	15	18	24	24	22	21	23	23	24
	924	926	928	929	931	937	943	945	945	945	948	951	955

53 COMMERCIAL FM STATIONS

	July 1, 1945
Operating	46
Construction	7
	53

9 COMMERCIAL TELEVISION STATIONS

	July 1, 1945
Operating	6
Construction	3
	9

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, July 16. They are subject to change.

Monday, July 16

Consolidated Hearing

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary), **1000 kc.,** 5 KW (main) 1 KW (aux.), unlimited.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary), **950 kc.,** 5 KW (main), 1 KW (aux.), unlimited, D.A. night (main).

Wednesday, July 18

Consolidated Hearing

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license, **590 kc.,** 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license, **1510 kc.,** 10 KW, unlimited, DA-night.

(Continued on next page)

To Be Heard in Federal Court Room, Federal Building, Evansville, Indiana.

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license, **1280 kc.**, 1 KW. night, 5 KW. day, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

Stanley G. Boynton, Detroit, Mich.—Granted extension of permit under Section 325(b) of the Communications Act to transmit programs from Highland Park Baptist Church, Highland Park, Mich., to Station CKLW, Windsor, Ontario, Canada. (B2-FP-141)

WSGN—Victor H. Hanson (deceased), (Transferor); Ruth Lawson Hanson, Executrix, et al. (Transferees); The Birmingham News Co. (Licensee), Birmingham, Ala.—Granted consent to involuntary transfer of control of The Birmingham News Co., licensee of Station WSGN, from Victor H. Hanson, deceased, to Ruth Lawson Hanson, Executrix, and C. B. Hanson, Jr., and Henry P. Johnston, Executors under the will of Victor H. Hanson, deceased. No monetary consideration. (B3-TC-444)

Centre Broadcasters, Inc., State College, Pa.—Adopted Memorandum Opinion and Order granting application for construction permit for new station to operate on **1450 kc.**, 250 watts, unlimited time, conditions. (B2-P-3730)

WOAI—Southland Industries, Inc., San Antonio, Texas—Granted renewal of license for main and auxiliary stations for period ending May 1, 1948. (Commissioner Durr voted for further inquiry.)

KABC—The Alamo Broadcasting Co., Inc., San Antonio, Texas.—Granted modification of construction permit, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and change in transmitter location, for changes in transmitting equipment and extension of completion date from July 13, 1945, to 6 months after grant. (B3-MP-1808)

WOMT—Francis M. Kadow, Manitowoc, Wisc.—Granted license to cover construction permit which authorized increase in power and changes in transmitting equipment. (B4-L-1864)

KOTA—Black Hills Broadcast Co. of Rapid City, S. D.—Granted license to cover construction permit, as modified, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and move of transmitter (B4-L-1889); granted authority to determine operating power by direct measurement of antenna power. (B4-Z-1693)

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Granted license to cover construction permit which authorized changes in directional antenna for daytime (B1-L-1895); granted authority to determine operating power by direct measurement of antenna power. (B1-Z-1700)

WHNC—Henderson Radio Corp., Henderson, N. C.—Granted license to cover construction permit, as modified, which authorized new standard broadcast station (B3-L-1896); granted authority to determine operating power by direct measurement of antenna power. (B3-Z-1701)

Frederic LeMieux, III, and Mrs. Edna Capo LeMieux, d/b as The Teche Broadcasting Co., New Iberia, La.—Granted motion to dismiss without prejudice application for construction permit for new station to operate on **1240 kc.**, 250 watts, unlimited time. (Docket No. 6765; B3-P-3816)

KHQ—Louis Wasmer, Inc., Spokane, Wash.; KGA—Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses, and continued hearing to August 20, 1945. (Dockets No. 6612 and 6613)

WHBC—The Ohio Broadcasting Co., Canton, Ohio—Granted license to use formerly licensed RCA 250-D transmitter as auxiliary transmitter with power of 250 watts. (B2-L-1887)

WATX—The Regents of the University of Michigan, Ann Arbor, Mich.—Granted modification of construction permit, as modified, which authorized new noncommercial educational broadcast station, for extension of completion date only, from June 16 to December 16, 1945. (B2-MPED-22)

KUSC—University of Southern California, Los Angeles, Calif.—Granted modification of construction permit, which authorized new noncommercial educational broadcast station, for extension of commencement and completion dates from December 21, 1944, and June 21, 1945, to June 21, 1945, and December 21, 1945, respectively. (B5-MPED-23)

W3XO—C. M. Jansky and Stuart L. Bailey, d/b as Jansky & Bailey, Washington, D. C.—Granted license to cover construction permit which authorized change in transmitter site and change in class of station from temporary Class 2 experimental high frequency broadcast station to a developmental broadcast station (B1-LEX-22); granted conditionally, on experimental basis only.

KIT—Carl E. Haymond, Yakima, Wash.—Granted license to cover construction permit which authorized changes in transmitting equipment. (B5-L-1886)

WMBC—Fayette Broadcasting Corp., Uniontown, Pa.—Granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1702)

KTBC—Claudia T. Johnson, Austin, Texas.—Granted authority to determine operating power by direct measurement of antenna power. (B3-Z-1704)

LICENSE RENEWALS

KJBS—KJBS Broadcasters (a partnership), San Francisco, Cal.—Granted renewal of license for the period ending May 1, 1948.

KSTP & AUX.—KSTP, Inc., St. Paul, Minn.—Granted renewal of license for the period ending May 1, 1948.

WTOP—Columbia Broadcasting System, Inc., Washington, D. C.—Granted renewal of license for the period ending May 1, 1948. (*)

KVSF—New Mexico Broadcasting Co., Sante Fe, N. Mex.—Granted renewal of license for the period ending February 1, 1947.

WALL—Community Broadcasting Corp., Middletown, N. Y.—Granted renewal of license for the period ending February 1, 1947.

WFBG—The Gable Broadcasting Co., Lessee, Altoona, Pa.—Granted renewal of license for the period ending February 1, 1947.

(*) Commissioner Durr voted for further inquiry.

KWJB—Gila Broadcasting Co., Globe, Ariz.—Granted renewal of license for the period ending August 1, 1946. (*)

WCBT—WCBT, Inc., Roanoke Rapids, N. C.—Granted renewal of license for the period ending February 1, 1946.

KWOS—Tribune Printing Co., Jefferson City, Mo.—Granted renewal of license for period ending August 1, 1946. (*) (B4-R-912)

KFMB—Worchester Broadcasting Corp., San Diego, Cal.—Granted renewal of license for period ending February 1, 1948. (B5-R-1133)

WMBO—WMBO, Inc., Auburn, N. Y.—Granted renewal of license for period ending February 1, 1947. (B1-R-212)

KAND—Navarro Broadcasting Assn., Corsicana, Texas.—Granted renewal of license for period ending February 1, 1947. (*) (B3-R-925)

WGAA—Northwest Georgia Broadcasting Co., Cedartown, Ga.—Granted renewal of license for period ending February 1, 1947. (*) (B3-R-1142)

DESIGNATED FOR HEARING

Richard Field Lewis, Jr., and Grant Pollack, a partnership, d/b as Berkeley Broadcasting Co., Martinsburg, W. Va.—Designated for hearing application for construction permit for new station to operate on **1340 kc.**, 250 watts, unlimited time, site to be determined. (B2-P-3865)

WLW—Powel Crosley, Jr., et al (transferors), The Aviation Corp. (transferee). The Crosley Corp. (Licensee), Cincinnati, Ohio—Designated for hearing application for consent for

(Continued on next page)

voluntary transfer of control of The Crosley Corp., licensee of Station WLW and 21 stations other than standard, from Powel Crosley, Jr., et al, to The Aviation Corporation. (B2-TC-452)

WCNC—Albermarle Broadcasting Co., Elizabeth City, N. C.—Designated for hearing application for construction permit to move station, together with all equipment now in use, from Elizabeth City, N. C., to Norfolk, Va., exact site to be determined. (B3-P-3863)

C. M. Zinn and C. Leslie Golliday, d/b as Martinsburg Broadcasting Co., Martinsburg, W. Va.—Designated for hearing application for construction permit for new station to operate on **1340 kc.,** 250 watts, unlimited time. (B2-P-3859)

MISCELLANEOUS

KWIL—Central Willamette Broadcasting Co., Albany, Ore.—Denied petition for waiver of the Commission's rules so as to permit identification of Station KWIL as "KWIL, Albany and Corvallis, Oregon."

WENT—Sacandaga Broadcasting Corp., Gloversville, N. Y.—Granted request for waiver of the Commission's rules so as to permit identification of Station WENT as "WENT, Gloversville, Johnstown, N. Y."

KLS—S. W. Warner and E. N. Warner, d/b as Warner Brothers, Oakland, Calif.—Granted request to change call letters to KWBR.

The Commission adopted Order 107A, ordering that on and after September 1, 1945, at the option of the licensee, transmitting operations may be conducted with full operating power during daytime hours only, and that on and after October 1, 1945, Order No. 107 shall be revoked, and all licensees shall be required to operate in accordance with provisions of Section 3.52 of the Rules.

The Commission granted extension of authority for the period ending December 31, 1945, to August G. Hiebert to operate Class I experimental Station K7XSB, Fairbanks, Alaska, as a relay broadcast station for the transmission of programs to the United States.

Twentieth Century-Fox Film Corp., New York, N. Y.—Placed in pending file, in accordance with Commission policy adopted February 23, 1943, application for construction permit for new commercial television broadcast station. (B1-PTC-132)

WROU—The Ohio State University, Area of Columbus, Ohio.—License to cover construction permit (B2-PRY-299) which authorized a new relay broadcast station.

NEW—St. Olaf College, Northfield, Minn.—Authority to transmit recorded programs to Radio Station CFQC, Saskatoon, Saskatchewan, Canada.

KICR—School District of Kansas City, Missouri, Kansas City, Mo.—Modification of construction permit (B4-PED-38) which authorized a new non-commercial educational broadcast station for extension of commencement and completion dates.

WNBT—National Broadcasting Co., Inc., New York, N. Y.—Modification of license to change frequency from Channel #1 **50-56 mc.)** to Channel #4. **(66-72 mc.)**

APPLICATIONS FILED AT FCC

600 Kilocycles

WSJS, WALH, WBLQ—Piedmont Publishing Co., Winston-Salem, N. C.—Relinquishment of control of licensee corporation by the preferred stockholders to Gordon Gray.

790 Kilocycles

WPIC—Sharon Herald Broadcasting Co., Sharon, Pa.—Special service authorization to operate on **790 kc.,** with power of 100 watts or 250 watts from 6 a. m., EST, to local sunrise.

810 Kilocycles

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Construction permit to change frequency from **1480** to **810 kc.,** increase power from 5 KW to 10 KW night, 50 KW day, install new transmitting equipment, make changes in directional antenna for night use, and move transmitter. (Facilities of KOAM contingent on KOAM's change to **860 kc.**).

1490 Kilocycles

Amended: to change type of transmitter and proposed transmitter location.

NEW—Evan Evans, James F. Koch, P. J. McCall, Lou Poller and James J. Curran, d/b as Pottsville Radio Co., Pottsville, Pa. (P. O. % Lou Poller, 7942 Cedarbrook St., Philadelphia, Pa.)—Construction permit for a new standard broadcast station to be operated on **1490 kc.,** with power of 250 watts and unlimited hours of operation.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Shirbee Hat Co., Inc., 42 West 38th St., New York, manufacturing and distributing various types, styles and grades of millinery, is charged in a complaint with violating provisions of Section 2(a) of the Clayton Act, as amended by the Robinson-Patman Act. (5352)

Univis Lens Company and its wholly owned subsidiary, Univis Corporation, both of 401 Leo Street, Dayton, Ohio, are charged in a complaint with misrepresentation of Univis bifocal optical lenses and with consequent disparagement of competitive products. (5351)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

C. W. Beggs Sons & Co., trading as Marcelle Cosmetics and Marcelle Hypo-Allergenic Cosmetics, 1741 North Western Ave., Chicago, selling and distributing a line of cosmetics under the trade or brand designation "Marcelle," has stipulated that it will cease and desist from representing that the cosmetics which it offers for sale are safe for sensitive skins, in the sense that they would be safe under all conditions, including skins which may be allergic to some ingredient contained in the preparations and that thousands of doctors have prescribed Marcelle Hypo-Allergenic Cosmetics, or that any members in excess of the true total have so approved or recommended them. (4087)

Everett & Baron Co., Providence, R. I., selling and distributing a liquid white shoe dressing designated "Stazon White," has stipulated to cease and desist representing by use of the words "really stays on," or otherwise, that the preparation will not rub off of shoes to which it is applied. (03291)

Kilpatrick's San Francisco Bakery, 2030 Folsom Street, San Francisco, and Kilpatrick's Marvel Bakery, Oakland, Calif., making and selling bread (4088), and The W. E. Long Co., 155 North Clark Street, Chicago (4089), an advertising agency promoting the sale of bread for certain bakeries, have stipulated to cease and desist from certain representations concerning awards of merit to Kilpatrick bread. (4088-4089)

(Continued on next page)

Revlon Products Corp., 125 West 45th Street, New York, selling and distributing cosmetics designated "Revlon Nail Enamel" and "Revlon Lipstick," and Abbott Kimball Co., Inc., 250 Park Avenue, New York, an advertising agency preparing and disseminating advertisements for the Revlon Products Corp., have stipulated that in connection with the dissemination of any advertising of the preparations they will cease and desist from representing, directly or by implication, that it has been established by interviews or surveys that any number or proportion of women wear or show a preference for Revlon Nail Enamel or Revlon Lipstick or that Revlon Nail Enamel is used in more beauty salons than all other nail enamels combined, when such representations are not substantiated by statistics compiled from actual interviews or surveys conducted in such manner as to reflect impartial findings of fact in that respect among a substantial majority of the cosmetic users referred to in the advertising. (03292)

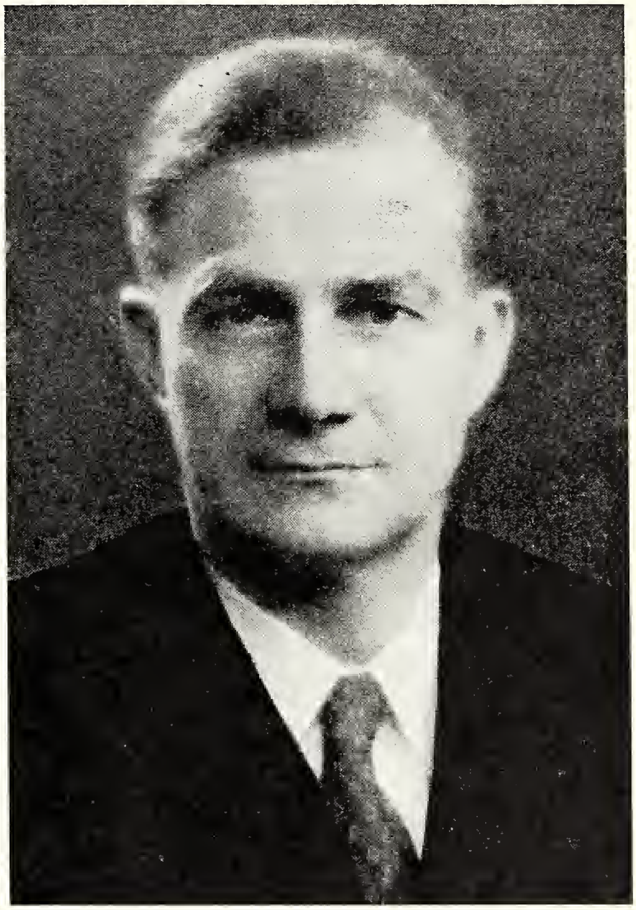
Tile-Tex Co., Chicago Heights, Ill., manufacturing and distributing synthetic floor coverings, including products designated "Tile-Tex," has stipulated that it will cease representing directly or indirectly, by use of the words "Tile-Tex" or "Tile," that its products are tile unless. in immediate conjunction with the words "Tile-Tex" or "Tile" wherever used, in the same conspicuous type there appear a word or words designating the material or substance of which the products are made, such as asphalt tile, asbestos tile or asphalt-asbestos tile, as the case may be. (4090)

W. H. Y. and Kevo Products Co., Ltd., and The Kevo Co., 2655 Terminal Annex, Los Angeles, selling and distributing a powdered preparation designated "Kevo," advertised as promoting health and as having the same nutritive value as a meal, have stipulated to cease representing that Kevo provides the vitamins or minerals required daily by the human body, that it is rich in vitamins, minerals and proteins, effective n relieving nervousness, fatigue, irritability, anemia or in relieving or preventing constipation other than that caused solely by insufficient bulk in the diet. (03293)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 29, July 20, 1945

Justin Miller Named President



Justin Miller has been named to the Presidency of NAB. He will take up the duties of his office on October 1 and will serve for a term of five years.

Mr. Miller was elected at a meeting of the committee authorized by the NAB Board of Directors to name a permanent President. The meeting was held in Kansas City last Saturday (14). He succeeds J. Harold Ryan, interim President of the Association since mid-April of last year, who will continue as a member of the NAB Board of Directors as a consequence of the election recently held.

Justin Miller is at present an Associate Justice of the United States Court of Appeals which sits in Washington, D. C. He has been a member of that court since 1937. He is a native of California and his permanent residence is in Los Angeles. He was graduated from Leland Stanford University in 1911 and obtained his Bachelor of Law degree at the University of Montana in 1913. He returned to Stanford where he received his J.D. degree in 1914, and in 1934 he obtained his Doctor of Civil Law degree at Yale. He has practiced law in California and many other states and before the United States Supreme Court.

He was Attorney and Executive Officer of the California State Commission of Immigration and Housing from 1919 to 1921. He became Dean of the Law School of the University of Southern California in 1927 and continued there until 1930, when he assumed a similar position at Duke University, where he served until 1935. He has served as special assistant to the Attorney General's Advisory Committee on Crime.

Mr. Miller is widely known as a public speaker, has a keen knowledge of public relations and is thoroughly familiar with all parts of the nation and their needs. He brings to his new position a demonstrated capacity for administration and organization and a high understanding and appreciation of the importance of radio in American daily life. In his statement of acceptance, Miller said:

> "I accept a challenge to render a public service. I see in broadcasting, with its promising developments for postwar expansion into frequency modulation, television and facsimile, a vital agency for carrying forward our traditional American policy of free speech and for protecting and strengthening our system of free enterprise. The opportunity is thus presented to demonstrate to the world the vitality and validity of these fundamental American concepts. To have a part in the development of the industry, to help in securing for it a sounder foundation in law and operating policy, in reconciling and integrating the various interests—public, governmental and industrial—is an assignment so challenging to me, as to make my decision a matter of course."

The committee named by the Board to select a president was headed by Commander T. A. M. Craven, Vice President of the Cowles Broadcasting Company, and in addition was made up of William B. Way, Vice President of KVOO, John J. Gillin, Jr., President of WOW; J. Leonard Reinsch, Managing Director of the Cox stations (WHIO, WIOD, WSB); G. Richard Shafto, General Manager of WIS, and Frank Stanton, Vice President and General Manager of CBS. J. H. Ryan, retiring President, also met with the committee when final arrangements with Mr. Miller were concluded. The committee was clothed with authority to act at the Board meeting held in Omaha in May.

At its meeting to be held in Washington on August 6 and 7, the Board will arrange for the executive direction of the Association's affairs in the interim between that time when J. Harold Ryan will leave to return to his position as Vice President and General Manager of the Fort Industry Company at Toledo, Ohio, and October 1, when President-elect Miller assumes his duties.

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Paul F. Peter, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

FCC WANTS BROADCASTERS' VIEWS ON PROPOSED FM RULES

The Federal Communications Commission desires the individual broadcasters to provide the Commission with their views upon the proposed rules, regulations and standards of good engineering practice for FM broadcasting, mentioned elsewhere in these REPORTS. It is highly important that the industry be articulate on this matter. The proposed rules, regulations, and standards were published in last week's NAB REPORTS, page 282.

NAB joins in urging broadcasters to make their views known. Although the date for filing of briefs has been set for July 26, NAB is advised that the Commission will consider any communications filed with it up to July 30. This is a matter that vitally affects every person engaged in broadcasting and one upon which the industry should make its views known. While NAB will appear, it is highly desirable that individual expressions of opinion be made. We will appreciate receiving copies of any communications sent to the FCC on this subject.

FM HEARING POSTPONED

The Federal Communications Commission has postponed until July 30 Docket No. 6768 the promulgation of rules and regulations and standards of good engineering practice for FM broadcasting other than non-commercial educational broadcast service. The Commission's order follows:

WHEREAS, the Commission on July 10, 1945, adopted an order specifying that a hearing be held before the Commission *en banc* beginning at 10:30 a. m., July 23, 1945, for the purpose of considering the promulgation of rules and regulations and standards of good engineering practice concerning FM broadcasting (Docket No. 6768), that appearances and briefs be filed on or before July 19, 1945; and

WHEREAS, requests have been made to the Commission by various parties for extension of such times;

NOW, THEREFORE, IT IS ORDERED, This 12th day of July, 1945, that the hearing in this matter BE, AND IT IS HEREBY, continued to 10:30 a. m., July 30, 1945, and that the time for filing appearances and briefs be extended to July 26, 1945.

RUMPLE, NAB RESEARCH DIRECTOR

Assuming his new duties as NAB Director of Research, Barry T. Rumple on last Monday (16) became an active staff member.

Mr. Rumple fills the vacancy created by the resignation of Paul F. Peter who headed the research department for seven years beginning in 1938. Mr. Peter left last month to take over as executive secretary of BMB.

Rumple comes to NAB from the National Broadcasting Company where he served in a similar capacity. He was with NBC for a period of 12 years, having started in March 1933 as a clerk in the Statistical Department, which was at that time under the direction of Paul Peter. In September of the following year Rumple was sent to Chicago to organize a Statistical Department in NBC's Central Division office.

In September 1936 Mr. Rumple was recalled to the New York office to assume the duties of Assistant Chief Statistician and in 1940 he became Chief Statistician under H. M. Beville, Jr., Manager of the Research Division. Rumple was named Research Manager in January 1942 when Beville joined the Armed Forces.

As NBC Research Manager Rumple was in charge of all statistical and research activity. He has been closely identified with the subject of station coverage measurement, serving on the NAB's Research Committee for a number of years.

Barry T. Rumple was born in New York City December 27, 1907, the son of Alice B. and George E. Rumple. He attended public schools in Bound Brook and New Brunswick, N. J. In 1929 he was graduated with honors from Rutgers University with a B. Litt. degree.

He is married to the former Josephine Wakefield and they have two sons, Donald, aged 10, and Richard, aged 7.

He is a member of Mt. Zion Lodge Free and Accepted Masons, American Statistical Association and the American Marketing Association.

NAB BOARD TO MEET

The NAB Board of Directors will hold a regular meeting at the Hotel Statler in Washington on Monday and Tuesday, August 6 and 7. All members of the Board are expected to be present.

Several matters of importance are on the agenda. Among others, the report of the Committee to Select a President, the Labor Relations Executive Committee report, the Code Committee report, and several matters from the Sales Managers Executive Committee will be considered.

The Code Committee meets in Washington on July 31 and August 1 to formulate its recommendation to the Board.

RESUME CAMPAIGN FOR GLOBAL SHOWS

Campaign for more "Let's Go to Town" programs for overseas broadcast to military personnel was resumed July 1. Stock pile of finished programs is in need of immediate replenishment after the May-June layoff during the war loan promotion.

Armed Forces Radio Service reports that these home town shows have become a necessity because they are so popular with the Armed Forces. AFRS is preparing a list of additional cities from which "Let's Go to Town" programs are desired. Requests for station cooperation will be made when this information is forthcoming.

Meantime another batch of wires to stations which have interrupted production, for one reason or another, or have postponed their start, was sent this week.

3 More Programs Produced

Shipments of 3 more "Let's Go to Town" programs have been made to AFRS, Los Angeles, as follows:

Fort Dodge	Ed Brenn, KVFD, *TFC
Kalamazoo	Willis Dunbar, WKZO, *TFC
St. Petersburg	Norman E. Brown, WSUN, *TFC

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* Task Force Commander.

"Telling the World" Final Report

Total Local Origination in Support 7th War Loan

(Excluding Network and National spot)

	Length of PGM.	Total Broadcasts
Sing for the 7th	5-min ET	25,677
Treasury Salutes	15-min ET	26,573
Music for Millions	15-min ET	21,325
Song for Today	5-min ET	422
Buy, Buy Bonds	3-min ET	1,875
	4-min ET	52
	5-min ET	10
Spots	Regular-L & ET	641,710
	2-min	14,264
	3-min	4,955
	4-min	333
Programs	5-min	8,664
	6-min	51
	7-min	136
	10-min	3,317
	15-min	11,784
	20-min	183
	25-min	240
	30-min	3,226
	35-min	7
	40-min	10
	45-min	218
	50-min	31
	55-min	2
	1 hour	348
	1¼ hours	85
	1½ hours	121
	2 hours	68
	2¼ hours	3
	2½ hours	2
	2¾ hours	5
	3 hours	25
	3½ hours	10
	4 hours	1
	5 hours	2
	5½ hours	2
	6 hours	1
	6¼ hours	1
	7 hours	2
	11 hours	1
	15 hours	1
	15¼ hours	1
	17 hours	1

Dollar Value 7th War Loan Support by Stations Networks Advertisers

a) Value all broadcasting	$23,513,742
b) Value Station Originations . .	16,743,572
c) Value Network Originations and National Spot .	6,770,170

The dollar valuations figures shown in the box were calculated by NAB Research Department from station and network reports. The over-all figure of $23,513,742 includes an item of $1,577,549, the sum representing the value of support given during the "warm-up" period, May 1-12.

Omitted is the value of broadcasting additionally requested by War Loan personnel during the period following the advertised termination date of the campaign. Though unknown in amount and character, value of this contribution is believed to exceed that of the "warm-up" period.

Worth of the "warm-up" period bond promotion cannot be overestimated. It got stations off to a flying start; but, more important, it prepared the entire nation for the coming of their Uncle Sam.

Figures, in themselves, cannot reflect the hard work and long hours put in by loyal staffs, working short handed, in performing this highly important public service job. But these cold figures do reflect the productiveness of hard-hitting promotions, special events and programs which were devised. Station reports to NAB, with hand written notes, reflected the vital determination of industry men and women to see the job through.

WRJN SHOW LIKE HANDSHAKE

Racine, Wis., "Let's Go to Town" show, produced by Task Force Commander H. J. Newcomb, station manager, WRJN, was heard on Okinawa on June 26.

Sgt. Harold H. Fareimund, one of the home town boys wrote: "Then you switched to 6th and Main and picked up that soul-stirring, ringing of the downtown bells, it was beautiful. The impact was terrific, for it drew back the curtain of poignant memories of happy childhood and carefree high school days spent there. Believe me, it was like grasping the firm hand of friendship over this great distance."

One of the other letters received by WRJN came from Corporal Soresen, in the Aleutians, who said, "I just couldn't believe my ears."

KROW, KLX, KWBR Show Heard

Oakland, California, stations, KROW, KLX, and KWBR produced a "Let's Go to Town" program under the direction of Task Force Commander Glenn Shaw, KLX. After the transcription, recorded in KROW's studio, had been sent on its way for global distribution, nothing was heard until last month. Then letters began to arrive. First was received from Pfc. Don Laston, somewhere in Germany.

"It was good to hear some of the news of changes that had taken place in Oakland," he said, "and out at the University of California which I attended before entering the service in 1943. Thanks again for a little news of the old home town."

Soldier Laston said that he heard the program "in my quarters during a rest period, talking with my buddies."

LANE NAMES OFFICIAL SONG

"Get Out and Buy Those E Bonds" is the official song for the period between the 7thand 8th War Loans, it was announced this week by Tom Lane, War Finance Division, Treasury Department.

This is one of the twenty-one tunes written by the country's leading song writers for the 7th War Loan. Writer of tune is Hermon Hupfeld.

BOY SCOUTS COMMEND RADIO

Elbert K. Fretwell, Chief Scout Executive of the Boy Scouts of America, has sent the following letter to NAB President Harold Ryan:

"The National Council of the Boy Scouts of America at its 35th Annual Meeting in New York on May 17th expressed their appreciation to you and your associates for the effective help the National Association of Broadcasters gave to the Boy Scouts of America during 1944. This enabled us to bring the benefits of the Scout program to more boys, and encouraged them in their war-supporting projects . Our membership is now 1,916,637 boys and leaders, and Scouting today is reaching every other boy in America between the ages of 9 and 18.

"It is with gratitude that we send you our greetings and acknowledge your intelligent support."

RECORDS WANTED BY ARMY HOSPITAL

Kenneth M. Hance, Vice President and Treasurer of KSTP, has called attention to an article appearing in the June 22 issue of *Printers' Ink.* It tells of the need for phonograph records in the oral rehabilitation centers for the deafened and hard of hearing. Officials state that there is a great need for speech and story material as an aid to rehabilitating returned servicemen who have had their hearing impaired.

Such records are needed at the following three hospitals: Borden General Hospital, Chickasha, Oklahoma; Hoff General Hospital, Santa Barbara, California; and Deshon General Hospital, Butler, Pennsylvania. Either 33 or 78 r.p.m.'s could be used on the equipment in these hospitals.

Any station having records of talk programs, particularly of news and special event subjects, and desiring to cooperate in this matter should send them to the "Hearing Clinic" at any of the aforementioned hospitals.

FCC ANNOUNCES ENGINEERING HEARING

The following notice has been issued by FCC:

"The second session of the informal Engineering Hearing will be held August 1, 1945, with respect to FM and Facsimile and August 2, 1945, with respect to Television. The meetings will be held in Conference Room B in the Departmental Auditorium on Constitution Avenue between 13th and 14th Streets, N. W., Washington, D. C., at 10 a. m.

"Reports of the sub-committees on FM and Television will be available for consideration at that time. It is hoped that those interested in Facsimile will have submitted proposed standards for discussion.

"All engineers interested are urged to attend."

INDUSTRY-FCC COMMITTEES ORGANIZED

The Industry-FCC committee named to conduct a further study of the allocation phase of the Proposed Standards of Good Engineering Practice Concerning Television Broadcast Stations began its meeting at the Commission offices Wednesday, July 18. Virgil R. Simpson, assistant to the Chief Engineer, FCC, is chairman of the committee. Members of the committee are Kenneth A. Norton, Office of the Chief Signal Officer; Charles H. Singer, WOR, New York; F. J. Bingley, Philco Radio Corp., Philadelphia; Thomas J. Carroll, Office of the Chief Signal Officer; James T. Veatch, RCA; W. S. Duttera, NBC, New York; H. S. Cowperthwait, FCC; W. H. Bauer, FCC.

The Industry-FCC committee on FM will meet at 10 a. m., Monday, July 23, under the chairmanship of Cyril M. Braum, Chief of the Non-Standard Broadcast Application Section of the FCC Engineering Department. Members of the committee are Dr. G. R. Town and R. H. Williamson, both of General Electric, Schenectady; Stuart Bailey, Washington, D. C.; Paul de Mars, Washington, D. C.; James McNary, Washington, D. C.; Virgil R. Simpson, assistant to the Chief Engineer of the FCC; Curtis Plummer, assistant to Mr. Braum; Ralph Renton, Chief of the Equipment and Projects Section, FCC Engineering Department; Edgar F. Vandivere, Technical Information Division, FCC Engineering Department.

An industry committee headed by J. E. Brown of the Zenith Radio Corporation will meet with Mr. Braum in New York Friday, July 20, to consider television equipment standards.

FULL POWER RESUMED OCTOBER 1

Order 107-A of the Federal Communications Commission dated July 10 requires the full power operation of broadcast transmitters effective October 1, 1945. The order authorizes the full power operation of transmitters beginning September 1 during daytime hours. The daytime operation during September is to provide a test period.

When the full power operation becomes mandatory, transmitters will be nearly three years older than on November 6, 1942, when the power reduction became effective. Component parts have been subject to operating wear and depreciation during this period and some replacements may be necessary before full power operation is resumed. It is therefore important that all stations conduct full power tests immediately on September 1 in order that

(Continued on next page)

possible weaknesses may be located and replacements secured prior to October 1.

The NAB Engineering Department offers assistance to stations in locating and expediting the delivery of parts and tubes that may be required. If you have reason to believe that it will be impossible to recondition your transmitter for full power operation, please forward all the facts to NAB at once. We may be able to suggest a solution to your problem.

Order 107-A follows:

At a session of the FCC held at its offices in Washington on the 10th day of July 1945;

WHEREAS the Commission on Nov. 6, 1942, at the request of the Board of War Communications adopted Order No. 107 suspending the provisions of Sec. 3.52 of the Commission's Rules & Regulations and requiring the readjustment of standard broadcast transmitters by decreasing the radiated power by one decibel in order to prolong the life of the transmitting equipment, and

IT NOW APPEARING that the War Production Board has advised that repair parts for transmitters are now generally available and that no difficulty will be encountered in restoring transmitters to full power operation, and

IT FURTHER APPEARING that the operation of standard broadcast stations with full power is in the public interest, and that an opportunity should be afforded for making the necessary readjustments and tests to return to normal operating practices,

NOW, THEREFORE, IT IS HEREBY ORDERED:

That on and after Sept. 1, 1945, at the option of the licensee, transmitting operations may be conducted with full operating power during daytime hours only, and that on and after Oct. 1, 1945, Order No. 107 shall be revoked, and all licensees shall be required to operate in accordance with the provisions of Sec. 3.52 of the Rules & Regulations.

Supplement to the Statement of Policy Issued on January 16, 1945, Concerning Application to Make Change in Existing Radio Facilities

Since the outbreak of war, due to the unavailability of materials and equipment, the Commission in licensing standard broadcast stations has found it necessary in some cases to permit operation with facilities that were not in full accordance with the Standards of Good Engineering Practice. In such instances a conditional clause was inserted in the license requiring the licensee, when equipment and materials become available, to apply for a change in facilities such as moving to a new site, installing frequency and modulation monitors, increasing its power or installing a new antenna.

The Commission is now in receipt of advice from the War Production Board that material and equipment are presently available or will shortly become available, for the construction contemplated by these conditional clauses. Accordingly, the Commission will direct each licensee in this category to make appropriate application for the necessary improvements specified in the license within 30 days of this date, except:

(1) Where frequency monitor or modulation monitor is required,

(2) Where two stations are operating with a common antenna or from a joint studio.

July 17, 1945.

WILLS CONFIRMED TO FCC

William Henry Wills, former Governor of Vermont, named by President Truman as a member of the Federal Communications Commission, was confirmed on Monday (16) by the Senate. Governor Wills succeeds former Governor Norman S. Case [R. I.] whose term expired June 30. The new Commissioner is appointed for a 7-year term, expiring June 30, 1952. He will take the oath of office early next week but will not assume his duties until a later date.

Governor Case has entered the private practice of law in Washington.

FCC MEMORIALIZES HANLEY

The Federal Communications Commission adopted the following resolution memorializing the late James H. Hanley, former Radio Commissioner:

"The Commission records with deep sorrow the death on July 9, 1945, of James H. Hanley, a member of the Federal Radio Commission from 1932 to 1934.

"Commissioner Hanley was a faithful public servant who rendered distinguished service in the task of formulating policies designed to foster the development of radio broadcasting.

"BE IT RESOLVED, That a copy of this expression of the Commission's sorrow on his death be entered on the permanent minutes of the Commission, and that a copy be mailed to his family."

NEWSPAPER PUBLISHERS WARNED ON FM

Of interest to broadcasters is story on FM which was carried in the July 14 issue of *Editor & Publisher*, reprinted below:

"A WARNING that newspaper owners looking to frequency modulation as a means of entering the broadcasting field should do so with the viewpoint of the early 1920's rather than that of today was voiced by Arden X. Pangborn, general manager of KGW, Portland, Ore., before the Oregon State Newspaper Publishers annual meeting in Eugene, Ore.

'Newspaper owners who went into standard broadcasting in the early 20's did so in a spirit of public service and in spite of the fact that no immediate financial return could be foreseen,' he said.

'Newspaper publishers seeking to utilize some of the many new broadcasting channels made available by FM should do so in that same spirit. FM probably will mature more rapidly than AM: however, FM, too, will have an experimental and developmental period in every new market.

'Those who enter FM expecting immediately to make profits equal to those of standard broadcasting stations of long standing and experience are apt to suffer well-deserved disappointment. Emphasis must be upon service.'

"Pangborn was the first radio man ever to be invited to speak before the Oregon publishers' association."

CANADIAN EDITOR ASKS FOR FREE RADIO

Interesting comment on government controlled radio appears as an editorial in the July 7 issue of *Canadian Broadcaster*.

The editorial, covering half the front page, is headed *Stern Facts On Ostriches*, and appears over a facsimile signature of Richard G. Lewis, editor.

A full reprint follows:

"In this paper, in addresses to clubs and recently in a debate broadcast over CKEY, we have said, and we repeat, that the government operated Canadian Broadcasting Corporation is all ready for the day when a Hitler or a Mussolini may sweep into power and use it against us as those tyrants used controlled radio against their own people.

"We have been called 'alarmist', 'stupid', 'sensation-seeking' and other less printable epithets. To this we would respectfully suggest there might be added such words as 'obstinate' and 'bull-headed', because we still maintain that it is all too true.

"As if it were not obvious enough for anyone to see—and we sincerely believe that even the people who are

(Continued on next page)

exercising the control are not aware of the full significance of what they are doing—Herbert M. Clark, American Broadcasting Company correspondent in Madrid, gives tangible evidence of how muzzled microphones and fettered printing presses can be turned to work against democracy.

"Speaking on his network's '*Report from Abroad*' in the first uncensored broadcast to come out of Spain under the Franco regime, Clark said: 'There is little foreign news printed under Falangist domination of the press and radio that does not attempt to tell the Spanish people that all is utter confusion and chaos outside of Spain.' A truck drivers' strike in Chicago, he pointed out, is given more space in Franco controlled newspapers than the 'Big Three' meeting and London Food Conference.

"Blissfully the CBC lays claim to the fact that the reason why they exercise a monopoly over all network broadcasting, thereby controlling what *may* be said on the networks and what may *not* be said, is because they are thus enabled to send entertainment and information to the farthest reaches of the Dominion, which would be hopelessly impractical under a system of private network broadcasting, they claim.

"It is perhaps just possible that these radio men of the CBC do not appreciate the political expediency of giving the government facilities for releasing its propaganda simultaneously throughout the Dominion by word of mouth. Possibly they really do not appreciate the fact that when a minister of the party in power makes one of his reports to the nation, he is only giving *his own* version of what is taking place in Ottawa, and by precluding the opinions of his opponents (except for a limited number of broadcasts a year) is giving the public a one-sided view on its country's government.

"Apparently those officers of the CBC who do most sincerely strive to keep the broadcast schedules politically impartial, do not appreciate the frightfulness of the fascistic control to which they are contributing. They sincerely believe that the operation of the CBC network monopoly is actuated by none but the most altruistic of motives. This being the case, and remembering that cleanliness is next to godliness, why should the government not get down to fundamentals and run water mains through the isolated prairies and the remote tracts of bushland so that the pioneer Canadians who choose to live in these places could lie luxuriously in modern bath-tubs, while listening to the programs of the CBC so graciously sends them, at the expense of their fellow Canadians from the denser areas of population?

"As long as the Canadian public chooses to bury its head in the sand as long as the press and radio of Canada make no effort to acquaint their readers and their listeners with what is happening, as long as people continue their age-old line of thinking to the tune of "It can't happen here", just so long will would-be dictators in philantropists' clothing continue their subtle draining of our cup of freedom, until all that will be left will be the right to steal out into the night and, behind darkened windows say: 'If only we'd done something about it before it was too late.'

"Socialism may have been defeated in the recent election, but, though dead, socialists we know have shown no inclination as yet to lie down."

An ear-tag inserted in the logotype of the issue of *Canadian Broadcaster* quoted above carries this reminder: "You Can't Have a Free Press Without a Free Radio."

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, July 23. They are subject to change.

Monday, July 23

Broadcast and Telegraph
Before the Commission En Banc

Broadcast: WLWA, WLWB, WLWJ, WLWC, WLWD, WLWE, WLWF, WLWG, WLWH, WLWI, W8XCT, WLWK, WLWL, WLWO, WLWR, WLWS, W8XAL, W8XFM, W8XST, WLW—Powel Crosley, Jr., Transferor; The Aviation Corporation, Transferee; The Crosley Corporation, Licensee, Cincinnati, Ohio—For transfer of control of The Crosley Corporation, licensee.

Telegraph: WLWN, WLWQ, WLWU, WLWV—Powel Crosley, Jr., Transferor; The Aviation Corporation, Transferee; The Crosley Corporation, Licensee, Cincinnati, Ohio—For transfer of control of The Crosley Corporation, licensee.

Monday, July 23

Broadcast
To Be Heard in Federal Court Room, Federal Building, Evansville, Indiana

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license; **1280 kc.**, 1 KW night, 5 KW day, unlimited.

Further Hearing

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Renewal of license; **580 kc.**, 5 KW, unlimited, DA-night.

Tuesday, July 24

NEW—Fred O. Grimwood, Bloomington, Ind.—C. P., **1490 kc.**, 100 watts, unlimited.

Wednesday, July 25

Oral Argument Before the Commission

REPORT No. B-209:

WOV—Arde Bulova and Harry D. Henshel, Transferors, Murray Mester and Meyer Mester, Transferees, New York, N. Y.—Transfer of control of Wodaam Corporation (WOV); **1280 kc.**, 5 KW (main), 1 KW (auxiliary). Shares WHBI (WHBI 1/7; WOV 6/7), DA.

Wednesday, July 25

KJR—Fisher's Blend Station, Inc., Assignor; Birt F. Fisher, Assignee; Seattle, Wash.—Voluntary assignment of license of Station KJR and relay Station KEGR; **950 kc.**, 5 KW (main), DA-night, 1 KW (auxiliary), unlimited.

Thursday, July 26

WINS—Hearst Radio, Inc., Assignor; The Crosley Corporation, Assignee, New York, N. Y.—Voluntary assignment of license and construction permit.

Federal Communications Commission Action

APPLICATIONS GRANTED

WCLS—Walter Ashe (transferor); Willard H. Erwin, Jr., et al (transferees); WCLS, Inc. (licensee), Joliet, Ill.—Granted consent to voluntary transfer of control of WCLS, Inc., licensee of Station WCLS, from Walter Ashe to Willard H. Erwin, Jr., Arthur C. Litton, Clint Litton, Calvin F. Wilson, Gerald G. Smith, Norman S. Fitzhugh, Jr., and Robert L. Bowles by transfer of 51% of outstanding capital stock for a consideration of $8,670. (The seven transferees already own 49 shares.) The application was granted upon the following condition: "Nothing contained herein shall be taken as giving approval to the pending application for renewal of license. In connection with the renewal application the Commission will give consideration to such plan as appli-

(Continued on next page)

cant may present for reconciling with requirements of the Communications Act existing contractual arrangements purporting to reserve use of station facilities to A. J. Felman." (B4-TC-434)

WNAX—South Dakota Broadcasting Corp. (transferor); Cowles Broadcasting Co. (transferee); WNAX Broadcasting Co. (licensee), Yankton, South Dakota—Granted consent to voluntary transfer of control of WNAX Broadcasting Co., licensee of Station WNAX, from South Dakota Broadcasting Corp. to Cowles Broadcasting Co., by transfer of 52% of capital stock for $13,000 (transferee already owns remaining stock.) (B4-TC-442)

Mutual Broadcasting System, Inc., Chicago, Ill.—Granted extension of permit to transmit programs to Station CKLW. Windsor, Ontario, to stations owned and operated by the Canadian Broadcasting Corp., and to stations licensed by Canadian Minister of Transport. (B4-FP-142)

Allen B. DuMont Labs., Inc. (area of New York, N. Y.)—Granted application for construction permit for portable-mobile experimental television relay station, for the purpose of developing a television system to operate in the **480** to **920 mc.** region now assigned for experimental television; frequencies to be assigned by the Commission's Chief Engineer from time to time; A3, special, and special for frequency modulation emissions; power of 1 KW (peak) visual and aural. (B1-PVB-151)

Emerson Radio & Phonograph Corp., New York, N. Y.—Granted construction permit for new developmental broadcast station, to be operated on frequencies that may be assigned by the Commission's Chief Engineer from time to time, A0, A3, and Special emission for frequency modulation; granted conditionally, and subject to the following: "This special temporary authorization is granted upon the express condition that it may be terminated by the Commission at any time without advance notice or hearing if in its discretion the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the authority herein granted is or will be in the public interest beyond the express terms hereof." (B1-PEX-75)

Joseph F. Novy, Riverside, Ill.—Granted construction permit for new developmental broadcast station, to be operated on frequencies to be assigned by Commission's Chief Engineer; A0, A4, Special emission for FM; granted conditionally, and subject to following: "This permit (license) is granted upon an experimental basis only, and upon the express condition that it is subject to change or cancellation by the Commission at any time without advance notice or hearing if, in its discretion, the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of this station on the frequency authorized is or will be in the public interest and the express terms hereof." (B4-PEX-65)

WKBZ—Ashbacker Radio Corp., Muskegon, Mich.—Granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1705)

W2XRA—Raytheon Manufacturing Co., New York, N. Y.—Granted license to cover construction permit which authorized a new developmental broadcast station; granted on experimental basis, conditionally. (B1-LEX-23)

WBAF—L. B. Wilson, Inc., area of Cincinnati, Ohio—Granted renewal of relay station WBAF. (B2-RRY-229)

DOCKET CASE ACTION

The Commission announces its Proposed Findings of Fact and Conclusions of Law proposing to deny the application of Calumet Broadcasting Corporation for a construction permit to establish a new standard broadcast station at Hammond, Indiana, to operate on the frequency 1520 kilocycles, with power of 5 kilowatts daytime only. (Docket No. 6583)

The Commission's Conclusions state:

"1. Under Sections 308 and 309 of the Communications Act of 1934, pursuant to which radio stations are licensed by this Commission, we are directed to examine the qualifications of an applicant as set forth in the written application prescribed by the Act, and to hold hearings, if necessary, to determine whether a grant would serve the public interest, convenience and necessity. It is fundamental, of course, that the representations made by an applicant shall be true, accurate and complete. Otherwise the Commission is unable to perform its statutory functions. As we have heretofore stated, 'In the performance of our duties we must, among other things, determine whether the operation of proposed stations, or the continued operation of existing stations, would serve public interest, and in doing so we are, of necessity, required to rely to a large extent upon statements made by station licensees, or those connected therewith. Caution must, therefore, be exercised to grant station licensees only to those persons whose statements are trustworthy.' (*In re Van Curler Broadcasting Corporation*, 9 F. C. C. 92, 108; see also *In re Mayflower Broadcasting Corp.*, 8 F. C. C. 333, 338; *In re John H. Stenger, Jr.*, 8 F. C. C. 434, 444; *In re WOKO, Inc.*, 10 F. C. C. —.)

"2. Study of the record in this case reveals numerous instances where applicant's principal stockholders have been reluctant, evasive and guilty of a lack of candor in making prompt, fair and full disclosure of information relating to stock ownership and financial qualifications in response to questions in the application and at the hearings thereon. This course of conduct was pursued not only with respect to the Commission, but also admittedly with their own counsel.

"3. As illustrative of applicant's misrepresentation and concealment of facts and false testimony relating to the ownership and voting of its stock, the Saliner episode may be cited. The application represented that 30 shares of common stock were owned and held by Paul Saliner, who paid cash for said stock with funds derived from his own business and miscellaneous investments; that he had voted the stock in person at the last meeting of shareholders prior to the filing of the application, at which a total of 839 shares were voted; and that there were no arrangements or discussions affecting these 30 shares. These representations were reaffirmed by applicant's majority stockholders at the first set of hearings held on the application, in proposed findings filed by the applicant, and in a proposed amendment submitted under oath. However, in subsequent hearings it appeared that no meeting had been in fact held in which 839 shares were voted as stated in the application; that if said 30 shares had been voted at any time they were voted by Dr. Courrier rather than by Saliner; and that the stock, though in Saliner's name, was being held in the files of the applicant corporation. Testimony was also offered on behalf of the applicant that the 30 shares had been paid for by Dr. Courrier under a private arrangement with Saliner. However, Mr. Saliner, when subpoenaed by the Commission, testified that he had never purchased any stock in the applicant, had never entered into any agreement authorizing Dr. Courrier or anyone else to purchase such stock, and did not care to become associated with the applicant in any way.

"4. The financial statements of the applicant and its principal stockholders offered in the May 1944 hearings and the testimony offered in support thereof did not reflect material and significant facts existing at the time, and were false. By their nature, these omissions concern the very heart of applicant's financial vitality. Among other things, applicant's balance sheet did not show as a liability a $15,000 note which was secured by a chattel mortgage on all of applicant's equipment. The financial statements of its principal stockholders did not disclose an indebtedness, secured by a pledge of all of their stock in the applicant.

"5. Funds of the applicant corporation have been used by its two principal stockholders to pay their own personal obligations without the applicant receiving consideration therefor and to the detriment of the applicant.

"6. From a careful study of the application and the record in this proceeding, the Commission is of the opinion that it cannot proceed with assurance to entrust the applicant with the duties and obligations incumbent upon licensees. The Commission concludes that a grant of the application of the Calumet Broadcasting Corporation would not serve the public interest, convenience and necessity. The application, therefore, should be denied."

LICENSE RENEWALS

WJPF—Orville W. Lyerla, Herrin, Ill.—Granted renewal of license for period ending February 1, 1947. (B4-R-1085)

KVOL—Evangeline Broadcasting Co., Inc., Lafayette, La.—Granted renewal of license for period ending February 1, 1947. (B3-R-859)

WRVA—Larus & Brothers, Inc., Richmond, Va.—Granted renewal of license for main and auxiliary stations for period ending May 1, 1948. (B2-R-386)

KOCY—Plaza Court Broadcasting Co., Oklahoma City, Okla.—Granted extension of license on a temporary basis for an additional period of 60 days. (B3-R-467)

(Continued on next page)

MISCELLANEOUS

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.; KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted motion to continue hearing on applications for renewal of licenses for stations KOMO and KJR, to September 17, 1945. (Dockets Nos. 6614, 6644)

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Granted petition for continuance of hearing on application for renewal of license to September 10, 1945. (Docket No. 6611)

Louis N. Howard and Ellis H. Howard, d/b as Jacksonville Broadcasting Co., Jacksonville, N. C.—Adopted memorandum opinion and order granting, conditionally, application for construction permit for new station to operate on **1240 kc.**, 250 watts unlimited time. (B3-P-3860)

Placed in pending files the following applications for construction permits for new high frequency (FM) broadcast stations:

The Fall River Broadcasting Co., Inc., Fall River, Mass. (B1-PH-273); Middle Georgia Broadcasting Co., Macon, Ga. (B3-PH-305); Don Lee Broadcasting System, San Francisco, Calif. (B5-PH-38); Radio Service Corp., Pocatello, Idaho (B5-PH-512).

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Adopted order continuing hearing on application for renewal of license; hearing continued to July 23, 1945. (Docket 6660)

WINS—Hearst Radio, Inc. (assignor), The Crosley Corp. (assignee).—Granted joint motion for leave to amend application for voluntary assignment of license and construction permit, by filing as a supplement to Exhibit 4 of the application a copy of the agreement between the parties dated June 21, 1945. (Docket No. 6755) Continued hearing on application to August 20, 1945.

KJR—Fisher's Blend Station, Inc. (assignor), and Birt F. Fisher (assignee), Seattle, Wash.—Granted petition to continue hearing on application for voluntary assignment of license of Station KJR and Relay Station KEGR to August 24, 1945. (Docket 6748)

Fred O. Grimwood, Bloomington, Ind.—Granted motion to continue hearing on application for construction permit for new station to September 10, 1945. (Docket 6753)

APPLICATIONS FILED AT FCC

620 Kilocycles

WKAQ—Radio Corp. of Porto Rico, San Juan, P. R.—License to cover construction permit (B-P-3489) as modified, which authorized move of transmitter and studio.

740 Kilocycles

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Transfer of control of licensee corporation from Sherwood B. Brunton, Mott Q. Brunton and Ralph R. Brunton as individuals and trustees, and C. L. McCarthy to Columbia Broadcasting System, Inc. (2500 shares common stock 100%.)

1120 Kilocycles

KMOX—Columbia Broadcasting System, Inc., St. Louis, Mo.—Construction permit to install new transmitter and antenna, and change transmitter location from near St. Louis, Mo., to Stallings, Ill.

1230 Kilocycles

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit to change ESR from **1000** to **1230 kc.** and make changes in visual transmitter.

1240 Kilocycles

WSOC—Radio Station WSOC, Inc., Charlotte, N. C.—Construction permit to change frequency from **1240** to **1550 kc.**, increase power from 250 watts to 10 KW, install new transmitter and directional antenna for night use, and change transmitter location. Amended: to increase proposed power from 10 to 50 KW, change type of transmitter, make changes in directional antenna for night use, and change proposed transmitter location.

1400 Kilocycles

WJLD—George Johnston, Bessemer, Ala.—Assignment of license to Johnston Broadcasting Company (George Johnston and George Johnston, Jr., partners).

1450 Kilocycles

WDAD—Indiana Broadcast, Inc., Indiana, Pa.—Modification of construction permit (B2-P-3864, which authorized a new standard broadcast station) for approval of antenna and transmitter site.

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Voluntary assignment of license and construction permit to Aurelia S. Becker and Charles Z. Heskett, d/b as Cumberland Broadcasting Co.

NEW—Jere N. Moore, Milledgeville, Ga. (P.O. E. Hancock St.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unlimited hours of operation.

FM APPLICATIONS

NEW—Raytheon Manufacturing Co., Chicago, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on **44.9 mc.**, with coverage of 10,100 square miles. Amended: to change frequency from **44.9 mc.** to such Channel as the Commission may assign in the newly allocated band **92-106 mc.**

NEW—Textile Broadcasting Co., Greenville, S. C. (P.O. 3 College St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency between **92-106 mc.**, subject to applicant's approval, with coverage of 18,300 square miles.

NEW—Unity Corporation, Inc., Springfield, Ohio (P.O. 1014 Edison Bldg., Toledo, Ohio)—Construction permit for a new high frequency (FM) broadcast station to be operated on **100 mc.**, with coverage of 5,777 square miles.

NEW—WIBM, Inc., Jackson, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.5 mc.**, with coverage to be determined. Amended: to change frequency from **49.5** to **44.9 mc.**, specify coverage as 3,980 square miles, and specify transmitting equipment, antenna and transmitter location.

NEW—Pensacola Broadcasting Co., Pensacola, Fla. (P.O. San Carlos Hotel).—Construction permit for a new high frequency (FM) broadcast station to be operated on **47.1 mc.**, with coverage of 2,179.60 square miles.

TELEVISION APPLICATIONS

NEW—Midland Broadcasting Co., Kansas City, Mo. (P.O. Pickwick Hotel, 10th and McGee Sts.)—Construction permit for a new experimental television broadcast station to be operated on **60-66, 210-216, 480-492 mc.**, with aural power of 1 KW and visual power of 1 KW peak, and A5 and/or special emission.

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting Co., Salt Lake City, Utah—Construction permit for a new commercial television broadcast station to be operated on Channel #2 **(60-66 mc.)**, with ESR of 3550. Amended: to change frequency from Channel #2 **(60-66 mc.)**, to Channel #4 **(66-72 mc.)**.

NEW—Raytheon Manufacturing Co., Waltham, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel **#1 (50-56 mc.)**, with ESR of 5520. Amended: to change requested frequency from Channel #1 **(50-56 mc.)** to Channel #2 **(54-60 mc.)**.

MISCELLANEOUS APPLICATION

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Extension of authority to transmit programs to CFRB and CKAC and other stations under the control of the Canadian Broadcasting Corp.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Career Training Institute and its officers, Samuel A. Cannon, Geraldine S. Cannon, Leo Ertag and Joseph A. Cosenza, 1060 Broad Street, Newark, N. J., selling and distributing courses of study and instruction in general clerical subjects and for the preparation of students for Civil Service examinations, are charged in a complaint with misrepresentation. (5354)

Miami Margarine Co., 107 E. Pearl St., Cincinnati, selling and distributing margarine under the trade name of Nu-Maid, and The Ralph H. Jones Co., 3100 Carew Tower, Cincinnati, an advertising agency, formulating, editing and placing advertising material for Miami Margarine Co., are charged in a complaint with misrepresentation and unfair methods of competition. (5353)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Adlerika Co., St. Paul, Minn., selling and distributing a laxative medicinal preparation designated "Adler-i-ka," has been ordered to cease and desist from false advertising and misrepresentation of the preparation. (4927)

Northern Kentucky Independent Food Dealers Assn., et al. —An association of approximately 150 Northern Kentucky retail grocers has been ordered to cease and desist from entering into or continuing a conspiracy for the purpose or with the effect of boycotting Cincinnati, Ohio, baking companies or other sellers of bread.

The order is directed against Northern Kentucky Independent Food Dealers Association, Inc., 505 Scott Street, Covington, Ky., its member grocers and its officers R. H. Goderwis, vice president; Larry T. Hiltz, secretary, and Barney J. Malloy, treasurer. The complaint also specifically names as respondents six members of the Association: Virgil Clinkenbeard, George Stegne, T. C. Alpaugh, Richard Guenther, Roy Daniel and Charles Hindersman. Because of the constantly changing membership of the Association these six were made respondents as representatives of the membership generally. (5140)

Standard Chemical Manufacturing Co., 703 South 42nd St., Omaha, has been ordered to cease and desist from disseminating advertisements containing false and misleading representations concerning the therapeutic properties of poultry and livestock preparations it sells. (4912)

A. T. Wilson, trading as Zo-Lon Co., Dallas, Tex., selling and distributing a preparation designated "Zo-Lon Compound" and "Zo-Lon," has been ordered to cease disseminating any advertisements representing directly or by implication, that the preparation constitutes a competent or effective treatment for obesity or has any value as a reducing agent. (5132)

STIPULATION

During the past week the Commission has announced the following stipulation:

Crestwood Publishing Co., Inc., and Theodore Epstein and Michael M. Bleier, its executives, 1790 Broadway, New York, publishers of reprints of detective novels, have stipulated to cease and desist from selling or offering for sale any abridged copy of a book or publication unless the word "Abridged" appears on the front cover and on the title page of the book, in immediate connection with the title and in clear, conspicuous type. If the book has an additional wrapper or covering bearing the title thereof, then the front page of the wrapper shall in like manner bear the conspicuously displayed word "Abridged." The respondents also agree to cease representing, as by statements such as "A $2.00 DETECTIVE THRILLER" or "A $2.00 MYSTERY NOVEL," or in any other manner or by any other means, that an abridged book is complete as originally published. (4091)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 30, July 27, 1945

NAB BRIEF ON PROPOSED FM RULES

The National Association of Broadcasters, through its counsel, John Morgan Davis, will appear at the hearing before the Federal Communications Commission on Monday (30), to respond to the Commission's request for an expression of views upon the proposed rules and regulations and standards of good engineering practice for FM broadcasting. A brief covering all of the points set forth in the Commission's proposal (see NAB REPORTS, page 282) has been prepared by Mr. Davis and his assistant Milton J. Kibler. The brief appears elsewhere in this issue of the REPORTS.

KTUL MAKES GENERAL ANSWER TO FCC ON COMMERCIALS AND SUSTAINERS

KTUL's answer to the FCC's request for additional information in connection with renewal application omitted a percentage breakdown of commercial and sustaining programs promised in future operations. Renewal was granted for the period ending November 1, 1947.

KTUL submitted a detailed report on the station's activities of a public service nature, pointing out that a public service program, when sponsored, was no less a public service. Admitting that the schedule was 80% commercial, KTUL established to the apparent satisfaction of the Commission that the station was delivering a complete variety of programs.

The answer highlighted the operator's opinion that a good job was being done in running the station and that all efforts would be made to continue doing so. Reference was made to the fact that the station never has and never intends to allow a commercial program to crowd out a worthwhile public service feature.

RADIO
1920 - 1945
XXV

JAYCEE RADIO WEEK
AUGUST 26—SEPTEMBER 1

Broadcasters Saluted by United States Junior Chamber of Commerce

The United States Junior Chamber of Commerce has proclaimed August 26-September 1 "Jaycee Radio Week" in recognition of radio's importance as a medium of free speech. Announcement was made from Chicago this week, asserting that the theme for the event will be "Freedom of Speech."

NAB Special Twenty-Fifth Anniversary Bulletin No. 13 accompanies this issue of REPORTS, giving full details. Additional Bulletins and releases will be issued. Winfield Weitzel, national Junior Chamber Vice-President in charge of Public Relations, Washington, D. C., is working with Willard D. Egolf, NAB Director of Public Relations, and Bruce Starkey, Chief, NAB News Bureau, in coordinating Jaycee—broadcaster activities for the occasion, in which local Junior Chambers, stations and network headquarters will cooperate.

1945 is the Silver Anniversary of the United States Junior Chamber of Commerce as well as the American system of broadcasting, rendering this joint acknowledgment especially appropriate. Discussions were first held in May, between Bruce Starkey and Ralph Rohweder, Chicago Jaycee President, culminating in action by the Officers and Board of Directors of the Junior Chamber on June 17, their proposal being accepted enthusiastically by the NAB Public Relations Committee in New York on June 18.

Truman Statement Featured

Feature of the week will be the recent statement of President Truman that radio "must be maintained as free as the press," with the display of the President's photo recommended. A copy of the President's letter to the industry has been sent to each local Jaycee President. See Anniversary Bulletin No. 13 for further details.

WHAT WILL 50TH ANNIVERSARY BRING?

The *Journal*, Ithaca, N. Y., sees broadcasting catching its breath for even more startling progress during its second 25 years of existence.

Observing that the industry has made remarkable strides in the past, the *Journal* makes the following comment:

". . . It was in 1920 that the first regular broadcasting programs were set up for the benefit of the comparatively few owners of crystal and head-phone sets. Those crude attempts at utilizing the ether waves for distribution of information and entertainment marked the beginning of a revolutionary change in communications.

"Many of the men who took part in those pioneer experiments still are active in the field of radio, so brief has been the interval of time since that brave plunge into uncharted areas. Those pioneers had a vision, and out of their dreams and stout courage was evolved the miracle of radio as it is known today.

"What new wonders may become the commonplace utilities of tomorrow are today scarcely guessed by any except those young engineers who now and then let drop a hint of things to come. But that radio and related electronic developments are merely at the threshold of a vast expansion seems certain, as radio begins its second quarter century of service."

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

PRESS REACTION TO TRUMAN'S RADIO ATTITUDE

Press reaction to President Truman's recent statement pledging his efforts in behalf of maintaining radio "as free as the press" gives full endorsement to the principles and aims enunciated.

Following are two selected editorials; the first is from the San Bernardino, Calif., *Sun*, which says:

"In declaring that there should be 'freedom of the air' by lack of restrictions on expression over the radio, President Truman is merely endeavoring to bring our constitutional free speech provision up to date. The constitution in establishing the right of free expression mentioned both press and speech specifically, thus indicating the intention of granting that freedom for all forms of public communication. Had other media then been known or foreseen, the constitutional provision undoubtedly would have been more broadly stated. The founding fathers had no prophetic vision of the day of radio. Now that radio is here, it remains the duty of our generation to broaden the constitutional guarantee accordingly."

Hackensack, N. J., *Record* comments:

"President Truman declares in a letter to a radio trade magazine that broadcasting must be kept as free as the press. He commends the foresight of the lawmakers who decreed that the United States should have a free competitive radio system, and remarks that the physical limitations of the medium alone condition the development of radio.

"Radio has made notable gains during its first 25 years of regular operation. In that time it has become a big business. Newspaper publishing, for all its long history in the United States, has not. Our thousands of daily and weekly newspapers are a local as well as a national force of vast democratic effect. Radio, with its limited airwave facilities and its tendency toward consolidation, may develop differently, but should enjoy and help preserve the same freedom."

COMMITTEES APPOINTED

President Harold Ryan has completed the task of appointing the Committees for the NAB year 1945-1946, which began on July 1 and will terminate with the 1946 membership meeting or if such meeting is not held, at a time to be determined by the Board. Letters of appointment have gone out to all of those selected, as well as to those who served during the previous year.

In his letter to the appointees, President Ryan pointed out that while he had agreed with the Committee to Select a President to serve only until the Board meeting on August 6-7, he nevertheless felt that since the work of the Association is done largely through committees, it is imperative that they be reconstituted and their work continued.

Three new committees were created this year. One, a Copyright Committee whose function it will be to study and keep in touch with the relations of the industry to organizations licensing music performance rights such as ASCAP, BMI, SESAC and AMP.

A second committee, known as the Music Committee will deal with matters relating to the use of music by broadcasters. It will endeavor to counsel and advise members of the industry on methods and practices whereby a more careful supervision of the music used may result in achieving a fuller value out of the fees paid licensing societies.

The third committee emerges as a result of a series of conferences between the Radio Farm Directors Association and NAB. This committee is the Farm Program Directors Committee. Its primary purpose is to counsel and advise on methods of improving program service to the rural areas of the nation. A full list of the committee personnel follows:

Code Committee

Chairman—Herbert Hollister, KANS, Wichita, Kansas
Edgar L. Bill, WMBD, Peoria, Illinois
Arthur B. Church, KMBC, Kansas City, Mo.
William S. Hedges, NBC, New York, N. Y.
Henry Johnston, WSGN, Birmingham, Ala.
Merle S. Jones, WOL, Washington, D. C.
Jan Schimek, CBS, New York, N. Y.
Lee B. Wailes, KYW, Philadelphia, Penna.
Ed Yocum, KGHL, Billings, Montana

Copyright Committee

Chairman—James P. Begley, KYW, Philadelphia, Penna.
Thomas H. Belviso, NBC, New York, N. Y.
William Fineshriber, CBS, New York, N. Y.
Richard O. Lewis, KTAR, Phoenix, Arizona
Warren P. Williamson, WKBN, Youngstown, Ohio

Engineering Executive Committee

Chairman—G. Porter Houston, WCBM, Baltimore, Md.
J. B. Fuqua, WGAC, Augusta, Georgia
O. B. Hanson, NBC, New York, N. Y.
Karl B. Hoffman, WGR, Buffalo, New York
William B. Lodge, CBS, New York, N. Y.

Farm Program Directors Committee

Chairman—Larry Haeg, WCCO, Minneapolis, Minnesota
Layne Beaty, WBAP, Fort Worth, Texas
William Drips, NBC, Chicago, Illinois
John Merrifield, WHAS, Louisville, Kentucky
Bill Moisher, KJR, Seattle, Washington
Arthur C. Page, WLS, Chicago, Illinois
Herb Plambeck, WHO, Des Moines, Iowa

Insurance Committee

Chairman—William I. Moore, WBNX, New York, N. Y.
S. R. Dean, CBS, New York, N. Y.
R. J. Teichner, NBC, New York, N. Y.

Labor Executive Committee

Chairman—Calvin J. Smith, KFAC, Los Angeles, Calif.
Kenneth Berkeley, WMAL, Washington, D. C.
William Fay, WHAM, Rochester, New York
Edward E. Hill, WTAG, Worcester, Mass.
Harry LePoidevin, WRJN, Racine, Wisconsin
John H. MacDonald, NBC, New York, N. Y.
Frank K. White, CBS, New York, N. Y.

Legislative Committee

Chairman—Don S. Elias, WWNC, Asheville, N. C.
Clair R. McCollough, WGAL, Lancaster, Pa.
Joseph H. Ream, CBS, New York, N. Y.

(Continued on next page)

J. Leonard Reinsch, WSB, Atlanta, Georgia
Frank M. Russell, NBC, Washington, D. C.
J. Harold Ryan, WSPD, Toledo, Ohio
G. Richard Shafto, WIS, Columbia, S. C.
James D. Shouse, WLW, Cincinnati, Ohio
Harry R. Spence, KXRO, Aberdeen, Wash.
O. L. Taylor, KGNC, Amarillo, Texas

Music Committee

Chairman—Clarence Leich, WGBF, Evansville, Indiana
G. Mallory Freeman, WRNL, Richmond, Va
David H. Harris, WOL, Washington, D. C.
Elliott Sanger, WQXR, New York, N. Y.
Frank R. Smith, Jr., WWSW, Pittsburgh, Pa.

Office Forms and Practices Committee

Chairman—John B. Conley, KEX, Portland, Oregon
Gene L. Cagle, KFJZ, Fort Worth, Texas
Ken Church, WCKY, Cincinnati, Ohio
S. R. Dean, CBS, New York, N. Y.
Harry F. McKeon, NBC, New York, N. Y.
Lloyd C. Thomas, KGFW, Kearney, Nebraska
Earl W. Winger, WDOD, Chattanooga, Tenn.

Program Managers Executive Committee

Chairman—Irvin Abeloff, WRVA, Richmond, Virginia
Eugene Carr, WHBC, Canton, Ohio
Howard R. Chamberlain, WLW, Cincinnati, Ohio
Douglas Coulter, CBS, New York, N. Y.
Harold Fair, WHO, Des Moines, Iowa
Ralph W. Hardy, KSL, Salt Lake City, Utah
Clarence L. Menser, NBC, New York, N. Y.
H. W. Slavick, WMC, Memphis, Tennessee
Elliott Stewart, WIBX, Utica, New York

Public Relations Executive Committee

Chairman—Leslie W. Joy, KYW, Philadelphia, Pa.
George Crandall, CBS, New York, N. Y.
Michael R. Hanna, WHCU, Ithaca, New York
Phil Hoffman, KRNT, Des Moines, Iowa
Harry Kopf, NBC, Chicago, Illinois
Richard H. Mason, WPTF, Raleigh, N. C.
James H. Moore, WSLS, Roanoke, Virginia
John F. Patt, WGAR, Cleveland, Ohio
W. Walter Tison, WFLA, Tampa, Florida
Lewis Allen Weiss, KHJ, Hollywood, Calif.

Radio News Committee

Chairman—E. R. Vadeboncoeur, WSYR, Syracuse, N. Y.
William Brooks, NBC, New York, N. Y.
A. A. Fahy, KABR, Aberdeen, South Dakota
Arthur Kirkham, KOIN, Portland, Oregon
Karl Koerper, KMBC, Kansas City, Missouri
Chet Thomas, KXOK, St. Louis, Missouri
Paul White, CBS, New York, N. Y.

Research Committee

Chairman—J. C. Tully, WJAC, Johnstown, Pennsylvania
Roger Clipp, WFIL, Philadelphia, Pa.
Charles E. Couche, KALE, Portland, Oregon
W. Lee Coulson, WHAS, Louisville, Kentucky
Dietrich Dirks, KTRI, Sioux City, Iowa
Edward F. Evans, WJZ, New York, N. Y.
Dale Taylor, WENY, Elmira, New York
Elmo S. Wilson, CBS, New York, N. Y.
1 vacancy

Sales Managers Executive Committee

Chairman—James V. McConnell, NBC, New York, N. Y.
C. K. Beaver, WOAI, San Antonio, Texas
Lincoln Dellar, KXOA, Sacramento, Calif.
Arthur Hull Hayes, CBS, New York, N. Y.
Stanton P. Kettler, WMMN, Fairmont, W. Va.
Beverly Middleton, WSYR, Syracuse, N. Y.
John M. Outler, Jr., WSB, Atlanta, Georgia
Odin S. Ramsland, KDAL, Duluth, Minnesota
Frank V. Webb, WGL, Fort Wayne, Indiana

Small Market Stations Committee

Chairman—Marshall Pengra, KRNR, Roseburg, Oregon
Wayne W. Cribb, KHMO, Hannibal, Missouri
James R. Curtis, KFRO, Longview, Texas
Monroe B. England, WBRK, Pittsfield, Mass.
William C. Grove, KFBC, Cheyenne, Wyoming
Robert T. Mason, WMRN, Marion, Ohio
Glenn W. Marshall, WFOY, St. Augustine, Florida

WLB ORDER AFFECTS RADIO STATION

The National War Labor Board on Tuesday (24) made public its Directive Order in the matter of Radio Station WFTL (now WGBS) and the Radio Broadcast Technicians Local No. 1316, IBEW (AFL).

The 4th Regional War Labor Board by a directive order of March 13, 1945, had held that the contract which had been entered into by the former owner of the station, Ralph Horton, and the IBEW local had to be assumed by the Fort Industry Company which purchased the station from Horton. This contract contained a "maintenance of membership clause." The management appealed the case from the Regional Board to the National Board and the National Board upheld the Regional Board. The directive order was based upon a memorandum opinion written by WLB General Counsel Jesse Freidin. His opinion follows:

"Effect of Recently Adopted Amendment to the Constitution of Florida on the Power of the Board to Order Union Security in Dispute Cases.

(Editor's Note: See NAB Reports, June 22, p. 246.)

"The pertinent provision of this amendment, adopted November 7, 1944, is as follows:

> " 'The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization; provided, that this clause shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer.'

"It is, in summary, our opinion that this provision does not affect the powers of this Board. We rest this view upon the following propositions:

"1. No conflict exists between provisions of the Florida amendment and the standard maintenance of membership provisions as included in Board orders.

"2. The taking of jurisdiction of a dispute by this Board operated to suspend those provisions of a State constitution which would otherwise be in conflict with a directive order issued in that dispute.

"I. No conflict exists between provisions of the Florida amendment and the standard maintenance of membership as included in Board orders.

"It is apparent that the language of the amendment is intended to free the so-called 'right to work' from any restriction related to membership or non-membership in a union. It would apply, then, only to those union security provisions which impose such restrictions: closed and union shop and, conversely, to 'yellow dog contracts' requiring non-membership.

"In each of these the employee's freedom of employment is qualified by a specific condition. On the other hand, the standard maintenance of membership provision contains an escape clause which, if taken advantage of, gives the employee a choice to remain in or out of membership and in either event to remain in the employment. His right to work is not abridged except as he elects voluntarily to qualify it. It is our opinion, then, that maintenance of membership clauses are not within the scope of the amendment.

(Continued on next page)

"II. In the event of conflict between the provisions of a state constitution and a Board order issued, pursuant to jurisdiction taken, under the War Labor Disputes Act, the Board order must prevail.

"We have already had occasion to examine this question in so far as it relates to conflict between state statutes and a Board order and have concluded that:

> "'. . . once the Board has properly acquired jurisdiction (of a labor dispute) the supremacy of the Federal act suspends the operation of the State law with respect to disposition of the issues in dispute. . . . It is no longer open to doubt that in the absence of affirmative evidence of Congressional intent to the contrary, when Federal jurisdiction attaches by virtue of an act of Congress State laws covering the same subject are rendered inoperative.'[1]

"These conclusions have been recently confirmed by decisions in the Supreme Court of Wisconsin and the Illinois Appellate Court. Thus, the Wisconsin court stated that a Board order

> "'. . . having been issued in the exercise of the war powers of the Executive in time of war, supplants and operates to suspend State action in regard to the same subject matter.'[2]

"The only question to be considered then is whether a different conclusion is required where State *constitutional* provisions, as contrasted with State statutes, are the basis of conflict with a Board order.

"An act of Congress passed in pursuance of its delegated powers is superior to conflicting State action, whether such action be embodied in constitutional or statutory form. (U. S. Const., Art. VI, Sec. 2.) All authorities support this principle.

"For example, in Loughlin v. McCaulley, 166 Pa. St. 517, 40 Atl. 1020 (1898), the Supreme Court of Pennsylvania, holding that a provision in the State Constitution prohibiting any limitation of liability for injuries resulting in death was overriden by an act of Congress permitting such limitation in maritime cases, stated:

> "'. . . it is clear that neither statute nor the Constitution of Pennsylvania can be set up against a right given by Congress in its control of the maritime law of the country. That control is paramount, and when it has been exercised in a particular way all State authority must conform to it.'

"In *Florida* v. *Mellon*, 273 U. S. 12 (1927), the Florida Constitution forbade the levying of a State inheritance tax. The Supreme Court of the United States upheld the validity of an inheritance tax improved by the Federal Revenue Act of 1926 and rejected the contention of the State of Florida that the Federal law invaded the sovereignty of that State and was an effort on the part of Congress to coerce the State into imposing a similar tax and to penalize it for failure to do so.[3]

"The Court stated:

> "'The act (Revenue Act of 1926) is a law of the United States made in pursuance of the Constitution and, therefore, the supreme law of the land, the constitution or laws of the States to the contrary notwithstanding. Whenever the constitutional powers of the Federal Government and those of the States come into conflict, the latter must yield.'

"In *U. S.* v. *Samples* (Missouri v. Holland), 258 Fed. 479 (1919), District Judge Van Valkenburgh, dismissing an application by the State of Missouri to restrain enforcement of a Federal law as an invasion of State sovereignty, commented:

> "'Where any power has been granted to the Federal Government by the Constitution, to be exercised through legislation by Congress, or as an incident of the legitimate treaty-making power, it is superior to State constitutions and State laws, and to all other powers, including police powers, ordinarily belonging to the States. All such must be modified, curtailed, or in a proper case, suspended, to insure the full and complete exercise of that superior power, which has been delegated by the Constitution to the central government. . . . It must be remembered that we are here considering the power of the Federal Government in its relation to the several States. In such case, it is necessary only that the grant of power to the former and its legitimate exercise shall exist. Thereupon all elements of State sovereignty, however reserved, become at once subordinate. No other construction is possible, if the Constitution is to be vindicated as the supreme law of the land.'

"On appeal, the Supreme Court of the United States affirmed the decree of the District Court. (Missouri v. Holland, 252 U. S. 416—1920.)

"Cooley, in his authoritative 'Constitutional Limitations' cites abundant authority in support of his statement that 'a State constitutional provision or a State statute in conflict with a treaty must give way to its superior authority.'[4]

"Accordingly, it is our opinion that in the event of conflict between a Board order issued pursuant to the War Labor Disputes Act and the provisions of a State constitution, the Board order would prevail."

OHIO STUDENTS STUDY FM

Cleveland, O., July 24.—Pooled staff and talent facilities of four stations in this city have been placed at the disposal of Ohio State University's student educational FM workshop during the current week.

John Patt, general manager of WGAR and Chairman of NAB Public Relations Committee, will address students on "A Station's Place in the Community."

Also included in the program are: talks by E. R. Wallace, head of the WTAM newsroom and NBC foreign correspondent; Helen Rhodes, WGY, Schenectady; discussions on sports by WJW staff members, and a demonstration broadcast from station WHK.

RADIO FOR HIGH SCHOOL STUDENTS AT WJHP

Free radio training for high school students, and those of high school age, is offered in a 13-week course sponsored by WJHP, Jacksonville.

The course will open soon after the regular fall school term opens, according to Ted Campeau, WJHP manager.

SIMPLIFY IT

A major network's instructions to news writers carry wellpointed advice to "write it for the ear. Use the nominative absolute, if possible, instead of the pronoun, even in repetition. One idea to a sentence; make it a short sentence. Write good English, and spell it properly. These things go together."

CBS SOFT-PEDALS DISCUSSION OF HOME AFFAIRS

The Toronto (Can.) *Globe & Mail* sees an attempt to stifle criticism of domestic administration in a recent CBC cancellation of daily news commentaries.

Globe & Mail comment follows:

"The Canadian Broadcasting Corporation has decided to cancel its daily news commentaries. The reason, according to its own publication, CBC News Features, is: 'During the war in Europe commentators dealt primarily with war news. Today much of the international news is controversial in nature, and capable of interpretation from more than one viewpoint. In order to encourage full freedom of discussion, it is felt that a well-balanced panel of com-

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[1] Opinion of General Counsel, August 18, 1944, 15 LRR 269.

[2] International Brotherhood of Paper Makers v. Wisconsin Employment Relation Board, 15 LRR 224 (Oct. 10, 1944). (See Addendum of Oct. 24, 1944, to opinion of General Counsel of Aug. 18, 1944.)

[3] The Federal statute gave credit up to 80% of the Federal tax for inheritance taxes paid to any State under State law.

[4] Cooley, *Constitutional Limitations*, 6th Ed., p. 26. It is well established that Federal laws and treaties stand on an equal plane (Ibid. p. 27), so that the above-quoted statement is equally applicable to conflict between State action and Federal *law*.

(Continued on next page)

mentators on current affairs is preferable to a single commentator associated with news programs as a daily feature.'

"The cancellation by the CBC of its daily news commentaries highlights a basic fault with the organization in the matter of controversial broadcasts. It was all right for the commentators dealing primarily with the war to be judicial or critical about what happened in Britain, in the United States, in Greece, or other countries, but when the war runs out as a subject and the commentators might turn to domestic matters they must not give their views.

"It seems odd that Canadians must be wrapped in cotton wool for protection from domestic controversy. And while it was fine for a commentator to express his views on Russia or Poland or other events in the news, there must only be panel discussion of home matters.

"If the commentators could be trusted to deal with their subjects during the war years there is no apparent reason why they, or others, should not be permitted to do the same with matters affecting Canadians at home. There was no fear of offending foreign Governments, or the British Government, but apparently there must be every precaution against offending the Canadian Government or parties. This seems to be the principle on which the CBC is working, and it is wrong. If Canadians can be allowed to listen to competent commentators on external matters, they should be permitted to hear discussion of home affairs.

"The system of panel discussion is often used for fear of offending. If there is fear of offending Canadian politicians it was not very brave of the CBC to permit the men it hired to offend American or British politicians."

AUSTRALIA BANS BROADCASTS

A number of Australians have been barred from the air in that country for a period of as much as three months for being associated with, selecting, passing and rendering objectionable matter on the radio, according to a Canadian Press dispatch.

The Australian Broadcasting Act delegates to the minister the privilege of determining broadcasting standards. This is the first time penalties have been imposed.

FUN IN FAIRMONT SELLS BONDS

Manager Stanton P. ("Pete") Kettler of WMMN, Fairmont, had his entire community engaging in a hilarious 7th War Loan frolic that caused listeners to dig frantically into their pocketbooks for extra bond money. Below is a reprinted excerpt from a CBS advertisement in June 30 *New Yorker* which describes the fun:

"When a leading citizen leaps to the middle of the parlor and announces that he will now entertain, the Constitution says guests are entitled to leave by the transom. But when a spry radio station offers him on the air and the altar of variety for $10,000-up in war bonds, that's a switch, as well as public service all round. Columbia's affiliate, WMMN, did just that with the leading gentry of Fairmont, West Virginia. A tycoon who makes glass played a banjo solo. A transportation man told a bed-time story. A phone call came in demanding a specialty by a certain dignified community-leader who was having supper at home at the time—so a police car rushed him down to the microphone and he yowled 'The Daring Young Man on the Flying Trapeze' like a good patriot and then went home and finished supper. WMMN smashed its war bond quota, and everybody had fun."

OWI FORCED TO CURTAIL

The following release from the Office of War Information is of possible interest to broadcasters:

"Neil Dalton, director, Domestic Branch, Office of War Information, made the following statement today:

"Because of a reduction in its appropriation, the Domestic Branch of the Office of War Information will discontinue within 30 days selecting and editing for the press and the radio the monitored reports of enemy and other foreign broadcasts and wireless transmissions supplied by the Federal Communications Commission to the OWI as part of the FCC's war-time intelligence service to Government agencies. Instead of discontinuing its service entirely the Domestic Branch will send out on its wires original copy so that the press and radio will be in position to do their own selecting and editing. Should users of the service desire to pool their handling of this material in either Washington, New York or San Francisco, OWI will cooperate to make that feasible. The copy will be received practically simultaneously in New York, Washington and San Francisco. OWI will bear the expense of the wire to the three cities.

"Cost of the teletype printers will be borne by the recipients of the service as heretofore. All material received by OWI and not carried on the wire will be available for examination and use in the OWI news room in Washington just as it has been.

"All points wishing to continue receiving service or having any suggestions about the operation of the new method are requested to notify Neil Dalton, Director of the Domestic Branch, Office of War Information, Room 3340, Social Security Building, Washington 25, D. C."

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

Docket No. 6768

In the Matter of

PROMULGATION OF RULES AND REGULATIONS AND STANDARDS OF GOOD ENGINEERING PRACTICE FOR FM BROADCASTING OTHER THAN NON-COMMERCIAL EDUCATIONAL BROADCAST SERVICE

BRIEF

The National Association of Broadcasters, Inc., respectfully submits this Brief in an endeavor to assist the Federal Communications Commission in promulgating fair and equitable rules and regulations concerning frequency modulation broadcasting.

As a non-profit trade association of radio broadcasters, one of the objects of the National Association of Broadcasters is: "to foster and promote the development of the art of radio broadcasting; to protect its members in every lawful and proper manner from injustices and unjust exactions; to foster, encourage and promote laws, rules, regulations, customs and practices which will be for the best interest of the public and the radio industry."

Membership in the Association is on a voluntary basis. On July 1, 1945, the active membership, limited to licensees of radio stations and to national networks, comprised 669 members.

The Association utilizes this opportunity to express appreciation of the Commission's efforts to establish rules and regulations pertaining to frequency modulation broadcasting, and also of the Commission's efforts to harmonize such rules with the rules on amplitude modulation broadcasting, to the end that both phases of aural broadcasting may better serve the public interest, convenience and necessity.

The comment and discussion contained in this Brief will follow the paragraph sequence of the order issued on the subject matter.

(1) MINIMUM OPERATING SCHEDULE

It is submitted that the establishment at this time of any arbitrary minimum period of operating hours may tend to hamper the orderly and timely progression of frequency modulation broadcasting. The ultimate success of such broadcasting will depend largely upon flexibility of operation.

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In community or rural stations, particularly, it may be difficult to establish and maintain programs consistent with good broadcasting during the entire minimum period. It is conceivable that the Commission may deem it advisable to allow even part time operation of an FM station in small communities or rural areas, providing adequate facilities of a different character are available in such areas. Part time operations may well result in an added service to the public which normally would be unavailable from any other source. Any attempt to set a specific amount of time for operation of FM stations necessarily requires almost the ability to look into the future. The minimum hours selected may well prove to be quite wrong after operations have begun.

Accordingly, it is strongly recommended that the minimum operating schedule rule be revised, so as to allow full flexibility or to grant the right of applying to the Commission to modify or change the minimum time requirements with respect to any particular licensee or license, either when the license is granted or at any time thereafter as circumstances may justify and warrant.

(2) PROGRAM DUPLICATION

This rule would seem to contemplate the creation of a separate program policy for FM stations, as compared with the AM stations serving the same area, thus bringing the Commission into the field of regulating programming, which phase of radio broadcasting the Commission has heretofore held to be the sole responsibility of broadcast station management.

It appears to us that there are two possible theories which may be the basis for the promulgation of this rule. The first is that the Commission may desire to have broadcast each day a number of unduplicated programs utilizing the full fidelity capability of the FM stations so that a dealer in radio receiving sets can tune to a program which will demonstrate to prospective purchasers of FM sets the capabilities of FM broadcasting. If this be the basic theory of the Commission, and if the regulation is so designed to assist in the development of FM, is not the Commission substituting its opinion for the experienced judgment of the licensed broadcaster? As we view it, this would not advance the development of FM as a broadcast service any more than a similar regulation, in the early days of AM broadcasting requiring a licensee to present each day at least one hour of symphonic music played by an orchestra of a designated number of instruments, would have advanced that service.

Today, the competition for listeners has resulted in a constant effort on the part of AM broadcasters to give the highest possible quality, variety and entertainment in the broadcasts presented over their stations. It is submitted that this free competition among broadcast stations, far more effectively than any rules or regulation of the Commission, will produce a proper programming of FM stations.

The first step in the development of FM broadcasting is, of course, the sale of FM receivers, whereby an audience, or at least a potential audience, for the FM broadcast is immediately built up. We are certain that if an exclusive FM broadcast of high quality is the best method for reaching the greater number of FM receivers within a given area, the operator of an FM station will do his utmost to reach that audience through the presentation of such exclusive FM broadcast. However, if it appears in another area, or in the same area, that the simultaneous broadcast of the same program over FM and AM outlets is the better solution, then the choice of means should be left to the broadcaster. It is the broadcaster's job to serve the area in which his station operates to the best of his ability and in the public interest, convenience and necessity.

Another theory attempting to arrive at the basis for the rule against program duplication is that duplication is not in the public interest because it does not afford the listener a full selection of programs. This theory appears to us to be patently fallacious. For a time at least most listeners will own receiving sets which will receive only AM stations. Such listeners under the proposed regulation will be unable to hear the programs developed for FM listeners which utilize the full capacity of FM and are not broadcast simultaneously through both FM and AM stations. Later when receivers are sold in quantity providing only for the reception of FM stations, the situation may be reversed and the owners of FM receivers will not be able to receive the programs broadcast by AM stations although excellent in quality regardless of how received. In most of these cases some part of the population will be deprived of the advantages of good programs designed for their pleasure or benefit. This is an economic waste. Encroachment by the Commission into the program field seems unwise, unlawful and contrary to the interests of the public.

It should be apparent that AM and FM are systems of modulation not in competition with each other but are merely separate methods of aural broadcasting. The basis of these regulations should be the fact that AM stations are in competition with each other, and that FM broadcast stations will be in competition with other FM stations. However, everything available to AM listeners should be available to FM listeners and, insofar as is possible, everything available to FM listeners should be in turn available to AM listeners. It is clear, of course, that as time goes on FM services will provide additional programs for which AM facilities are not available due to the fact that more frequencies are available for FM stations. The competition among FM stations consequently will insure the presentation of all possible program material.

We believe that the public interest, convenience and necessity is best served by a program policy determined by the licensees in accordance with the tradition and experience of American broadcasting. The American public is certain to demand, and obtain, the type of programs which appeal to its tastes, whether in the field of education, information or entertainment. Unless programs attract listeners a station operator loses his only source of revenue and his only means of rendering a public service. An advertiser purchases time on a radio station because he is able through that medium to reach a great number of listeners. Consequently, the station operator, whether AM, FM, or both, is bound to do everything he can to obtain and hold listeners in the area which he services.

(3) MULTIPLE OWNERSHIP

It would appear that Regulation 3 (a) is based upon the policy of the Commission not to allow two FM licenses to be held or controlled by the same owner for substantially the same area. If the Commission feels that the duoply policy has served public interest in the AM field, then its extension to the FM field would seem logical.

It further appears under Regulation 3 (b) that the Commission is consistent in requiring that the grant of an application to an FM licensee of an additional FM license in another area must be based upon a showing that such ownership operation or control would foster competition among FM broadcast stations or provide a separate and distinct FM broadcasting service in the area of the proposed station. It might be well, however, to clarify the language in regulation 3 (b) (1) by defining "existing services" to mean "existing frequency modulation services." This clarification is necessary and appears, in fact, in other places in the regulations.

Any abuse to the public interest which may result from multiple ownership could be possible only as a consequence of the Commission's action in exercising its licensing power. Each application should stand on its own merits. The

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Commission would fall into grave error if it set an arbitrary number of stations as the point at which there will automatically result a concentration of control contrary to the public interest. Does not the public interest require that listeners have available to them the greatest number of services which the economy will support? It is readily conceivable that an applicant for a seventh, ninth or eleventh station could well be in a much better position to render genuine service to the public than another applicant who was applying for his first station.

The setting of such a predetermined arbitrary figure may well deter qualified applicants from applying to the Commission for additional broadcast facilities. It would seem that the Commission best meets its obligation to the public by encouraging qualified persons to expand their services when the Commission can always determine whether such proposed expansion is actually in the public interest. Under the law, the Commission lacks authority to deny any application for a license without affording a hearing to the applicant. Any attempt to evade or minimize this fundamental duty by the regulatory device of fixing in advance the number of stations which a person might have under his control is certainly contrary to the spirit of the Communications Act of 1934.

It is further respectfully submitted that any policy which would eventually require AM licensees who in the interest of better serving the public have been granted an FM station license, to choose between the operation of the AM station and the FM station is contrary to the fundamental theory underlying the American broadcasting system and the principles of American democracy. Such a restraint would penalize experience in the operation of a radio broadcasting station and would engender a false form of competition depriving the American public of the greatest possible benefits from broadcasting services. AM and FM broadcasting are forms of aural broadcasting. The purpose of setting up the system of aural broadcasting—of which the American people have reason to be proud—is to render the best possible service to all of the listening public. The basic truth is that the system of FM broadcasting which we are now considering is simply another method of aural broadcasting. The Commission should beware of a policy which would array these two systems against each other, with the public as the loser. Instead, the Commission should encourage the best qualified applicants to engage in the rendering of aural broadcasting, irrespective of the system used, whether or not the broadcaster uses both systems, and regardless of how many stations such broadcaster owns, so long as the operation is in the public interest. The rapid development of FM requires utilization of the skills, talents, experience and investment of the broadcasters now active in the AM broadcasting field. Naturally, in the future other individuals with the vision and necessary capital will make application for FM stations. Such newcomers should be welcomed as proper competition in the field of aural broadcasting and should be given every possible encouragement. However, a sound licensing policy will not penalize the broadcaster already in the field. Rather, such a policy will contemplate the granting of licenses to those persons who plan to accept their full responsibility in the operation of an FM station in the public interest, convenience and necessity. As Mr. Paul A. Porter, Chairman of the Federal Communications Commission, ably stated in his address to the Broadcasters of Virginia, West Virginia, and the District of Columbia, on March 12th, 1945: "A sound licensing policy will welcome the true homesteader and should offer grants only to those who want to take up permanent residence in this new empire, cultivate it and improve it and generally operate it in the public interest. And as far as I am concerned, I am looking to broadcasters—the proven pioneers—as the ones who will take the lead in the great developments that lie ahead. And I deem it to be the duty of the Commission to provide every encouragement to that end."

(4) OWNERSHIP OF FM STATIONS BY LICENSEES OF AM STATIONS

Much of what has been said in this Brief under "Multiple Ownership" applies equally in our discussion of the ownership of FM stations by licensees of AM stations. It is incredible to think that the development of FM broadcasting can be helped by the adoption of any rule which will definitely penalize the operator of an AM station who entered the FM field. He is told in advance that if he is able to develop the FM station to the point of it becoming a competitor to his AM station that the Commission will, at that moment, step in and require him to relinquish control, through sale or otherwise, of one of the two outlets. The monopoly rules which have been adopted by the Commission have been based on the fact that only a limited number of channels were available for AM broadcasting and consequently competition was stiffled by permitting one operator to own more than one station in any given service area.

This cannot serve as the basis for the rule proposed as to the ownership of FM stations because there will be an ample number of channels available for every possible use in any given service area. As we have said before, it will not serve the public interest to create a feeling of competition between FM and AM stations within the same service area. It is entirely possible that some day in the future the FM station may supplant in popularity and listener interest the AM station of a given licensee, but the question as to whether or not giving up the AM license will best serve the public interest, necessity and convenience of that area should then be determined by the licensee with the approval of the Commission. At no time should there be any obligation on the part of the licensee to develop his FM station as a complete replacement for the AM station which he also operates. Such a rule could not possibly work in the interest of the public. It would most certainly result in retarding the full development of FM throughout the country instead of lending itself to the development of the art as contemplated by the Commission.

(5) NETWORK REGULATIONS

This rule would establish the same regulations for FM stations in their relations to networks as now govern AM network relations. We doubt the advisability of a straight out and out application of the present AM network rules to the FM stations. It would appear that the full development of FM could be enhanced by allowing a long term network contract. The development of FM stations will be difficult enough in the early years of operation without the extra burden of the short term network contract. A long term contract would tend to stabilize the operation of FM stations and lend strength and speed to their development. Possibly after there is wider experience in the operation of FM stations for a period of three to five years, there will be more definite indications of the particulars in which the present AM network regulations should be applied to FM network relationships. Meanwhile, it is our opinion that experience in FM operation is necessary before the FM network regulations can be properly determined.

(6) USE OF COMMON ANTENNA SITES

The adoption of this rule as contemplated would constitute, in our opinion, a violation of the Constitution of the United States and amount to the taking of property without due process of law. Neither the wisdom of any regulation, nor the good expected from its enforcement, can ever justify a departure from our fundamental law.

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The proposed regulation not only strikes at the property rights of an individual, but also is beyond the proper functions of the Commission. Carried to its inevitable conclusion, it would place upon the Commission the burden of determining the fair value of the property involved and would actually grant to another applicant within the same area the right of eminent domain. There is nothing in the Communications Act of 1934 which confers such a power upon the Federal Communications Commission. The validity of the proposed regulation is in no wise bolstered by the fact that it attempts to set up a method whereby the Commission can refuse to grant or renew a license on the ground that the applicant is not willing to acquiesce in a desire of the Commission to have him share the antenna site which he has purchased or leased. The desire of the Commission to have sites shared is one which it has no legal authority to have executed. The matter of a common FM site was presented to the United States Senate Committee on Interstate Commerce by J. Frank Burke, President, Pacific Coast Broadcasting Company, of Pasadena, California, on November 16, 1943, when he discussed at some length the Federal Communications Commission's refusal to grant an FM license to an applicant who had obtained the exclusive right to the use of Mt. Wilson in California for that purpose. (Cf. pgs. 214 et seq., Hearings before the Committee on Interstate Commerce, United States Senate, on S. 814, a Bill to Amend the Communications Act of 1934.)

Senator Burton K. Wheeler of Montana, Chairman, at page 217 said: "In my judgment the Commission has no right under the law to go that far. They should not have any right to go that far. They should not have the right to say to a railroad company: Here's a pass through the mountains that you are using and you will have to share it. That would more appropriately refer to the Interstate Commerce Commission, I mean in the case of a railroad, but neither the Interstate Commerce Commission nor any other governmental agency has the right to say to another railroad: You can use that pass through there."

Continuing, the same Chairman Wheeler stated: "Certainly the Federal Communications Commission has not any such power and authority under the law, and it was never the intention to give them any such authority. I would be one of the last ones to say they should have such power. There are other locations that a station could buy."

Senator White stated on the same page: "Mr. Burke, what your proposition really boils down to is this: You are contending that if A leases an advantageous and perhaps the only available site for an FM station, the Communications Commission ought to have authority to come along and say to A, 'You have got to share those premises with B, who also wants to erect and maintain and operate a frequency modulation station'."

Mr. Burke: "No. It does not boil down to that. There is a far different position taken. There is quite a difference in the situation, that you have to share it, a station, with somebody else, and insisting to him that he shall not make a part of his contract that the owner may prohibit another man from enjoying something in the public interest."

Senator White: "If I understand your proposition it is that if I own a piece of land I have no right to lease that land to Mr. B for the purpose of maintaining a station there, and that I have not got the right to put into a lease the selection of the tenant I will have on my land; is that your contention?"

Mr. Burke: "No."

Senator White: "Then do you mean to say that if I have given an exclusive lease on a piece of property to a citizen of the United States, this Commission could come along and say to the lessee: It is a fine lease to you to be sure, and under the terms of the lease you are the exclusive occupant of the premises, but we will insist that some other fellow who wants to have a station there, shall have the right to occupy the premises with your lessee."

Mr. Burke: "Yes, sir. I think the Commission is looking after the public interest. * * *"

* * *

Senator MacFarland: "Admitting there is a need for the thing you are talking about, isn't your remedy wrong? You are giving an awful lot of power to the Federal Communications Commission. You are almost giving them the power to take property without due process of law. In the licensing law you would give them the right of condemnation, for which under certain circumstances one has to go into court. * * * We have always recognized in the United States an orderly method."

Mr. Burke: "This is an orderly method."

Senator MacFarland: "I mean of taking property, and where the public interests are involved that is through condemnation when authority is given by the Congress, and not for a commission to say to an individual, 'Here, you have to give another man a lease or we will shut off your license.' "

* * *

Chairman Wheeler: "They are not saying it, but you want the Commission to have the power of eminent domain. They have not any right to do that, and we cannot give it to them."

Senator MacFarland: "That is not a proper body to have the power of eminent domain."

The position taken in the instant brief is that Congress never intended the Federal Communications Commission to have the right of eminent domain, whether it be exercised directly or through the indirect method proposed in the present rule. Consequently, we advocate that this rule be rejected and not adopted.

(7) Booster Stations

It is our opinion that the use of booster or satellite stations should be encouraged and fostered by the Commission in connection with all broadcast services when a showing can be made by the applicant that the proposed operation is technically feasible and would result in substantial improvement in the service rendered in the area properly within the influence of the controlling station.

The use of booster stations should not be required except when the application for a new facility reveals that some areas would not be properly served by the proposed construction unless a booster station or stations are employed. The Commission should not require existing stations to install booster facilities.

(8) Reservation of 20 Channels

The proposal that 20 FM channels be reserved from assignment at the present time, without fully stating the purpose for which such channels are to be reserved, does not appear to be consistent with sound public policy. The public and those operating in this field should know at this time what frequencies are available for development and use. Keeping the public and the industry in the dark as to the uses to which these frequencies are to be put in the future can serve no useful purpose. It is far better that these channels should be included with the other channels now available for allocation so that the rules and regulations which are adopted can be applied to all of the channels available for FM broadcasting.

We can conceive of only one situation under which the reservation of channels might be considered. 10 channels might be reserved, provided that 5 of these channels are in

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the 94 megacycle band and 5 in the 103 megacycle metropolitan band. This reservation of these specific 10 channels would provide flexibility in the general allocation in order that the Commission might assign additional channels to the community, metropolitan or rural stations if the demands for these services require additional spectrum space.

The present AM allocation has provided an inadequate number of local channels which has resulted in excessive interference to local stations operating at night. It is believed that this suggested reservation of channels will provide flexibility in order that the community or rural stations may not be unduly crowded at some future date.

(9) Facsimile Broadcasting and Multiplex Transmission

The rule on this subject appears to be well drafted and should be helpful in the development of facsimile broadcasting. There is considerable merit to the provision that in case facsimile broadcasts are carried simultaneously with aural broadcasts "additional equipment is not required for receivers not equipped for facsimile service." It would be unfair to require persons purchasing FM receivers to provide against the derogation of service occurring through the transmission of a signal which the purchaser does not desire to have come into his home and for which he has no facilities.

(10) Allocation Plan

Any allocation should be left sufficiently flexible to enable the Commission to afford an opportunity to applicants who can show that they are willing and able to serve any different type of area from that already established by the Commission. It seems unwise to divide FM into three rigid station classifications and thus form an inflexible national plan.

Although our proposal in connection with the allocation plan may seem inconsistent with our remarks under Section 8 above, we wish to call to the Commission's attention the fact that the proposed allocation plan of assigning community, metropolitan and rural stations in blocks of frequencies may result in an allocation structure which will not create maximum listening audiences for FM stations of all classes and may retard FM's full development. It is a well known fact that AM broadcasting stations which are placed on the dial between other stations having substantial established audiences enjoy a preferred position due to the fact that the listeners, in passing from the first to the third station, revolve the dial through the program of the second station, thus giving the second station an opportunity to secure an audience if its program at that moment pleases the listener.

In FM broadcasting it may be that one class of stations will present a better program service. Therefore, the major portion of the FM audience will be attracted to the section of the dial where this class of stations would be concentrated under the proposed plan. It is our belief that the interspersing of assignments to the three classes of stations may give stations in those classes which might not enjoy the best program service an increased opportunity to build a listening audience. This would tend to foster the development of FM stations of all classes.

We have not explored the allocation technical problems which this proposal might create. However, we feel certain that these technical problems are not impossible of solution.

Conclusion

The foregoing suggestions, comments and objections represent the candid views of the National Association of Broadcasters upon the particular rules and regulations discussed herein. It is hoped that such an expression will prove of some assistance to the Commission in its efforts—which, as we have said, NAB appreciates—to establish rules and regulations pertaining to frequency modulation broadcasting; and to harmonize such rules with the rules on amplitude modulation broadcasting to the desirable end that both phases of aural broadcasting may better serve the public interest, convenience and necessity.

Respectfully submitted,
National Association of Broadcasters,
(S) John Morgan Davis,
General Counsel.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, July 30. They are subject to change.

Monday, July 30

Before the Commission En Banc
To Be Held in Conference Room B, Adjacent to Government Auditorium

Promulgation of Rules and Regulations and Standards of Good Engineering Practice for FM Broadcasting Other Than Non-Commercial Educational Broadcast Service.

Tuesday, July 31

NEW—George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Company, New Iberia, Louisiana—C. P., **1240 kc.**, 250 watts, unlimited.

Wednesday, August 1

Oral Argument Before the Commission

Broadcast: WLWA, WLWB, WLWJ, WLWC, WLWD, WLWE, WLWF, WLWG, WLWH, WLWI, W8XCT, WLWK, WLWL, WLWO, WLWR, WLWS, W8XAL, W8XFM, W8XST, WLW—Powel Crosley, Jr., Transferor; The Aviation Corporation, Transferee; The Crosley Corporation, Licensee, Cincinnati, Ohio—For transfer of control of licensee corporation.

Telegraph: WLWN, WLWQ, WLWU, WLWV—Powel Crosley, Jr., Transferor; The Aviation Corporation, Transferee; The Crosley Corporation, Licensee, Cincinnati, Ohio—For transfer of control of licensee corporation.

Federal Communications Commission Action

APPLICATIONS ACTION

WKNE—WKNE Corporation (transferor), M. S. Wilder (transferee), Keene, N. H.—Granted consent to acquisition of control of WKNE Corporation, licensee of Station WKNE, by M. S. Wilder (who now owns 49 percent of outstanding voting common stock and 100 percent of non-voting preferred stock), by the issuance of WKNE Corp. to the transferee of 190 shares of unissued voting common stock and payment of $2,525 cash for surrender to the licensee

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of 205 shares of preferred stock by transferee. (B1-TC-447)

KFPY—Frances R. Symons, et al (transferors); E. B. Craney, Queen City Broadcasting Co., Inc., and John L. Wheeler (transferees), Symons Broadcasting Co. (Licensee), Spokane, Wash.—Granted consent to voluntary transfer of control of Symons Broadcasting Co., licensee of Station KFPY from Frances R. Symons, Arthur L. Bright, and Frances R. Symons, E. B. Craney and Spokane & Eastern Branch of Seattle First National Bank, Trustees under the will of Thomas W. Symons, Jr. (transferors), to E. B. Craney, Queen City Broadcasting Co., Inc., and John L. Wheeler by transfer of 99.8 per cent of outstanding capital stock for $348,497. (B5-TC-438)

WDGY—Dr. George W. Young (deceased) (assignor), Mae C. Young, Executrix of the Estate of George W. Young, Deceased (assignee), Minneapolis, Minn.—Granted consent to involuntary assignment of license of Station WDGY from Dr. George W. Young, Deceased, to Mae C. Young, Executrix of Estate of George W. Young, Deceased; no monetary consideration. (B4-AL-493)

WBYN—Rae Kronenberg, et al (transferors), The Evening News Publishing Co. (transferee), WBYN, Brooklyn, Inc. (licensee), Brooklyn, N. Y.—Granted consent to acquisition of control of WBYN, Brooklyn, Inc., licensee of Station WBYN, by transfer of 71.25 per cent of outstanding common stock and 52.6 per cent of outstanding preferred stock from Rae Kronenberg, Individually, and as Executrix under the Last Will and Testament of Aaron Kronenberg (deceased), Salvatore D'Angelo, Peter Testan and Millie Testan (transferors), to The Evening News Publishing Co. (transferee) for a consideration of $204,647. (B1-TC-441)

WSJS—Preferred Stockholders of Piedmont Publishing Co. (transferors); Gordon Gray (transferee), Piedmont Publishing Co. (licensee), Winston-Salem, N. C.—Granted consent to relinquishment of control of Piedmont Publishing Company, licensee of Station WSJS and relay stations WALH and WBLQ, by the surrender by Preferred Stockholders of Piedmont Publishing Co. (transferors) of each share of the present outstanding 5% cumulative preferred stock in exchange for one of the new 5% cumulative preferred stock, five shares of the new 3% noncumulative second preferred stock, and $6.66⅔ per share in cash ($60,300) which is a dividend upon the old preferred stock. (This is a restoration of control to Gordon Gray, who owns 99.8 percent of outstanding common stock of the licensee.

DESIGNATED FOR HEARING

KID—KID Broadcasting Co. (assignor), Idaho Radio Corp. (assignee), Idaho Falls, Idaho.—Designated for hearing application for consent to voluntary assignment of license of Station KID from KID Broadcasting Co. to Idaho Radio Corp. (B5-AL-489)

O. E. Richardson, R. W. Widdel, and S. G. Strasburg, b/b as The Voice of Marion, Marion, Indiana—Adopted order designating for hearing application for construction permit for new station at Marion, Indiana, to operate on **1230 kc.,** 250 watts, unlimited time. (B4-P-3750)

LICENSE RENEWALS

The Commission extended the following station licenses, upon a temporary basis only, pending receipt and/or determination upon applications for renewal of licenses, in no event later than October 1, 1945:

KELD, north of El Dorado, Ark.; KENO, Las Vegas, Nev.; KFPW, Ft. Smith, Ark.; KFRU, Columbia, Mo.; KFVS, Cape Girardeau, Mo.; KGFL, Roswell, New Mexico; KGKL, San Angelo, Tex.; KIUN, Pecos, Tex.; KIUP, Durango, Colo.; KLUF, near Galveston, Tex.; KOKO, LaJunta, Colo.; KONO, San Antonio, Tex.; KORN, Freemont, Nebr.; KRE, Berkeley, California; KRKO, Everett, Washington; KRLC, Lewiston, Idaho; KTEM, Temple, Tex.; KTNM, Tucumcari, New Mexico; KTOK, Oklahoma City, Okla.; KTSW, Emporia, Kans.; KTTS, Springfield, Mo.; KTUC, Tucson, Ariz.; KVFD, Ft. Dodge, Iowa.; KVGB, Great Bend, Kans.; KVRS, Rock Springs, Wyo.; KWLK, Longview, Wash.; KWON, Bartlesville, Okla.; KWYO, Sheridan, Wyo.; WABY, Albany, N. Y.; WAGF, Dothan, Ala.; WARM, Scranton, Pa.; WATL, Atlanta, Ga.; WATW, Ashland, Wisc.; WBLK, Clarksburg, W. Va.; WBNY, Buffalo, N. Y.; WBTH, Williamson, W. Va.; WBTM, Danville, Va.; WCBM, Baltimore, Md.; WCNC, Elizabeth City, N. C.; WCOS, Columbia, S. C.; WDAS and auxiliary, Philadelphia, Pa.; WDEF, Chattanooga, Tenn.; WDWS, Champaign, Ill.; WELL, Battle Creek, Mich.; WELO, Tupelo, Miss.; WEOA, Evansville, Ind.; WEST, Easton, Pa.; WFOR, Hattiesburg, Miss.; WGBR, Goldsboro, N. C.; WGIL, Galesburg, Ill.; WGRC, Louisville, Ky.; WHBQ, Memphis, Tenn.; WHDF, Calumet, Mich.; WHLB, Virginia, Minn.; WHOT, South Bend, Ind.; WHUB, Cookeville, Tenn.; WHYN, Holyoke, Mass.; WINC, Winchester, Va.; WJAC, Johnstown, Pa.; WJHO, Opelika, Ala.; WJLB, Detroit, Mich.; WJLD, Bessemer, Ala.; WJXN, Jackson, Miss.; WJZM, Clarksville, Tenn.; WKMO, Kokomo, Ind.; WKPT, Kingsport, Tenn.; WKWK, Wheeling, W. Va.; WLLH and synchronous amplifier, Lowell, Mass.; WMBR, Jacksonville, Fla.; WMFD, Wilmington, N. C.; WMGA, near Moultrie, Ga.; WMIN, St. Paul, Minn.; WMSL, Decatur, Ala.; WORD, Spartanburg, S. C.; WPAY, Portsmouth, Ohio; WRAK, Williamsport, Pa.; WRDO, Augusta, Maine; WRJN, Racine, Wisc.; WRLD, West Point, Ga.; WRRN, Warren, Ohio; WSAM, Saginaw, Mich.; WSAU, Wausau, Wisc.; WSLB, Odgensburg, N. Y.; WSRR, Stamford, Conn.; WTCM, Traverse City, Mich.

The Commission granted further extension upon a temporary basis only, of following station licenses, pending determination upon applications for renewal of licenses in no event later than October 1, 1945:

KDAL, Duluth, Minn.; KELO, Sioux Falls, S. Dak.; KFJB, Marshalltown, Iowa; KFYO, Lubbock, Tex.; KGFW, Kearney, Nebr.; KHMO, Hannibal, Mo.; KHUB, Watsonville, Calif.; KMYR, Denver, Colo.; KOCA, Kilgore, Tex.; KOME, Tulsa, Okla.; KPDN, Pampa, Tex.; KPFA, Helena, Mont.; KRMD, Shreveport, La.; KWFC, Hot Springs, Ark.; WAIR, Winston-Salem, N. C.; WBIR, Knoxville, Tenn.; WBRW, Welch, W. Va.; WCBI, Columbus, Miss.; WCLS, Joliet, Ill.; WDAK, Columbus, Ga.; WEBR, main and auxiliary, Buffalo, N. Y.; WFIG, Sumter, S. C.; WGAU, Athens, Ga.; WGH, Newport News, Va.; WGRM, Greenwood, Miss.; WHAT, Philadelphia, Pa.; WIBG, Glenside, Pa.; WINK, Ft. Myers, Fla.; WINN, Louisville, Ky.; WIZE, Springfield, Ohio; WJBC, Bloomington, Ill.; WJBY, Gadsden, Ala.; WJMC, Rice Lake, Wisc.; WJPR, Greenville, Miss.; WKEY, Covington, Va.; WLAK, Lakeland, Fla.; WLAV, Grand Rapids, Mich.; WLBJ, Bowling Green, Ky.; WMFF, Plattsburg, N. Y.; WNBH, New Bedford, Mass.; WNEW, main and auxiliary, New York, N. Y.; WOLS, Florence, S. C.; WOV, main and auxiliary, New York, N. Y.; WPAT, Paterson, N. J.; WROX, Clarksville, Miss.; WSAY, Rochester, N. Y.; WSBC, Chicago, Ill.; WSTV, Steubenville, Ohio; WTAL, Tallahassee, Fla.; WTEL, Philadelphia, Pa.; WTOL, Toledo, Ohio; WWPG, Palm Beach, Fla.

WAML—New Laurel Radio Station, Inc., Laurel, Miss.—Granted renewal of license for period ending February 1, 1947. (B3-R-709)

WOWO—Westinghouse Radio Stations, Inc., Ft. Wayne, Ind.—Granted renewal of license for period ending May 1, 1948. (B4-R-492)

MISCELLANEOUS

Granted further extension of following high frequency broadcast stations upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event later than October 1, 1945, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651:

WABC-FM, Columbia Broadcasting System, Inc., New York, N. Y.

WBBM-FM, Columbia Broadcasting System, Inc., Chicago, Ill.

WGFM, General Electric Co., Schenectady, N. Y.

WDLM, The Moody Bible Institute of Chicago, Ill.

WPEN-FM, Wm. Penn Broadcasting Co., Philadelphia, Pa.

WCAU-FM, WCAU Broadcasting Co., Philadelphia, Pa.

WBZA-FM, Westinghouse Radio Stations, Inc., Springfield, Mass.

WBZ-FM, Boston, Mass.

KDKA-FM, Westinghouse Radio Stations, Inc., Pittsburgh, Pa.

WHDH—Matheson Radio Company, Inc., Boston, Mass.—In answer to petition requesting interpretation of Section 3.107 of the Commission's Rules insofar as the rule might apply to arrangement of WHDH with the Canadian Broadcasting Corp. for broadcasting over facilities of Station WHDH, such non-commercial programs of that network as WHDH may select, the "Commission is of the opinion that the provisions of Section 3.107 of the Rules are not applicable to that arrangement."

(Continued on next page)

C. M. Zinn and G. Leslie Golliday, tr/as Martinsburg Broadcasting Co., Martinsburg, W. Va.—Granted request for authority to take depositions in re application for construction permit for new station. (Docket 6769)

George H. Thomas, James J. Davidson, Jr. and Daniel H. Castille, a partnership, d/b as the New Iberia Broadcasting Co., New Iberia, La.—Granted motion to continue hearings on application for construction permit for new station; hearing continued to August 30, 1945. (Docket 6766)

Calumet Broadcasting Corp., Hammond, Ind.—Granted motion for additional time within which to file exceptions to the proposed report in re application for construction permit for new station; time extended to August 15, 1945. (Docket 6583)

WROU—The Ohio State University, area of Columbus, Ohio—Granted license to cover construction permit which authorized new relay broadcast station. (B2-LRY-316)

KICR—School District of Kansas City, Mo.—Granted modification of construction permit, which authorized new non-commercial educational broadcast station, for extension of commencement and completion dates from March 9 and September 9, 1945, to 60 days from date of grant and 180 days thereafter. (B4-MPED-24)

Granted further extension of following relay broadcast station licenses upon a temporary basis only, pending determination upon applications for renewal of license, in no event later than October 1, 1945:

WATA, Ashland Broadcasting Co.; KFAA, A. H. Belo Corp.; KNED, Carter Publications, Inc.; WADA, Charleston Broadcasting Co.; WAUT, Evansville on the Air, Inc.; KIEL, Fisher's Blend Station, Inc.; KFBL, KFBM, Frontier Broadcasting Co.; WQER, Georgia School of Technology; WJWA, Birney Imes, Jr.; KAXY, KEJR, KGKO Broadcasting Co.; WABG, Memphis Publishing Co.; KBTA, KBTB, Red River Broadcasting Co., Inc.; WAXL, Jonas Weiland; WAIJ, WAIY, WIBX, Inc.; WTNK, WOAX, Inc.

Granted extension of following relay broadcast station licenses, upon a temporary basis only, pending receipt and/or determination upon applications for renewal of licenses, in no event later than October 1, 1945:

WBGN, The Champaign News-Gazette, Inc.; KAGM, Hitsch Battery & Radio Co.; KGBK, KVGB, Inc.; WAVB, The Scioto Broadcasting Co.

Placed in pending files following applications for construction permits for new high frequency FM broadcast stations:

Georgia-Alabama Broadcasting Corp., Columbus, Ga.; Pensacola Broadcasting Co., Pensacola, Fla.; Unity Corp., Inc., Springfield, Ohio; WIBM, Inc., Jackson, Mich.; Raytheon Manufacturing Co., Chicago, Ill.

Placed in pending file following applications for construction permits for new commercial television broadcast stations:

Utah Broadcasting Co., Salt Lake City, Utah; Raytheon Mfg. Co., Waltham, Mass.

APPLICATIONS FILED AT FCC

590 Kilocycles

KTBC—Claudia T. Johnson, Austin, Texas.—Construction permit to increase power from 250 watts night, 1 KW day to 1 KW night 5 KW day, installation of new transmitter and directional antenna for night use, and move of transmitter.

1150 Kilocycles

KSAL—KSAL, Inc., Salina, Kans.—Relinquishment of control of licensee corporation by R. J. Laubengayer through sale of 150 shares of common stock to The Hutchinson Publishing Company—37½% of outstanding stock.

1240 Kilocycles

KIUL—Frank D. Conard, tr/as Radio Station KIUL, Garden City, Kans.—Construction permit to install a new vertical antenna.

1340 Kilocycles

WRAW—Reading Broadcasting Co., Reading, Pa.—Transfer of control of licensee corporation from Raymond A. Gaul and Harold O. Landis to WGAL, Incorporated, and Keystone Broadcasting Corporation (212 shares common stock—57.14%).

KPKW—Western Radio Corp., Pasco, Wash.—Modification of construction permit (B5-P-3587, as modified, which authorized a new standard broadcast station), for extension of completion date from 8-7-45 to 9-6-45.

KRMD—T. B. Lanford, R. M. Dean, Mrs. T. B. Lanford, Sr., and Mrs. R. M. Dean, a partnership, d/b as Radio Station KRMD, Shreveport, La.—Authority to make changes in automatic frequency control equipment.

1420 Kilocycles

NEW—Radio Station WKEU, Thomaston, Ga.—Construction permit for a new standard broadcast station to be operated on **1420 kc.**, with power of 250 watts, and limited hours of operation. AMENDED: to change name of applicant to Thomaston Broadcasting Company.

1450 Kilocycles

NEW—Blanfox Radio Co., Inc., Norton, Va. (P.O. S. Main St., Harlan, Ky.).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unlimited hours of operation.

1460 Kilocycles

WBNS—WBNS, Incorporated, Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WELD—WBNS, Incorporated, Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

W8XUM—WBNS, Incorporated, Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WMJH—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WELE—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WMJD—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WRBC—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WBNT—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WGBD—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WJLF—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WMJA—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WMJB—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WMJC—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

1490 Kilocycles

WOSH—Myles H. Johns, William F. Johns, Jr., William F. Johns, and Frederick W. Renshaw, d/b Oshkosh Broadcasting Co., Oshkosh, Wis.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—Raytheon Manufacturing Co., Waltham, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.5 mc.**, with coverage of 6,530 square miles. AMENDED: to change frequency from **45.5 mc.** to such channel as the Commission may assign in newly allocated band of **92-106 mc.**

(Continued on next page)

NEW—George Johnston and George Johnston, Jr., d/b as Johnston Broadcasting Co., Birmingham, Ala. (P.O. 324 N. Fourth Ave.).—Construction permit for a new high frequency (FM) broadcast station to be operated on **44.3 mc.,** with coverage of 18,500 square miles.

NEW—Westchester Broadcasting Corp., White Plains, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.9 mc.,** with coverage of 3,540 square miles. AMENDED: to change frequency from **49.9 mc.** to channel to be selected by Chief Engineer FCC, change coverage from 3,540 to 5,845 square miles, change transmitter site, and make changes in antenna system.

TELEVISION APPLICATIONS

NEW—National Broadcasting Co., Inc., Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #2 **(60-66 mc.),** with ESR of 910 aural, 1222 visual. AMENDED: to change requested frequency from Channel #2 **(60-66 mc.)** to Channel #4 **(66-72 mc.).**

NEW—Blue Network Co., Inc., New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #15 **(258-264 mc).,** with ESR of 540. AMENDED: to change name of applicant to American Broadcasting Company, Inc., and change requested frequency from Channel #15 **(258-264) mc.** to Channel #6 **(82-88 mc.).**

NEW—National Broadcasting Co., Inc., Cleveland, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #1 **(50-56 mc.),** with ESR of 8120. AMENDED: to change requested frequency from Channel #1 **(50-56 mc.)** to Channel #4 **(66-72 mc.).**

NEW—Louis G. Baltimore, Wilkes-Barre, Pa. (P.O. 62 S. Franklin St.).—Construction permit for a new commercial television broadcast station to be operated on Cbannel #5 **(76-82 mc.),** with ESR of 706.

NEW—National Broadcasting Co., Inc., Chicago, Ill.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 **(50-56 mc.),** with ESR of 2380. AMENDED: to change requested frequency from Channel #1 **(50-56 mc.)** to Channel #4 **(66-72 mc.).**

NEW—Blue Network Co., Inc., Chicago, Ill.—Construction permit for a new commercial television broadcast station to be operated on Channel #8 **(162-168 mc.),** with ESR of 1475. AMENDED: to change name of applicant to American Broadcasting Company, Inc., and change requested frequency from Channel #8 **(162-168 mc.)** to Channel #6 **(82-88 mc.).**

NEW—National Broadcasting Co., Inc., Los Angeles, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #3 **(66-72 mc.),** with ESR of 14,000. AMENDED: to change requested frequency from Channel #3 **(66-72 mc.)** to Channel #4 **(66-72 mc.).**

NEW—Blue Network Co., Inc., Los Angeles, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #8 **(162-168 mc.),** with ESR of 3455. AMENDED: to change name of applicant to American Broadcasting Company, Inc., and change requested frequency from Channel #8 **(162-168 mc.)** to Channel #6 **(82-88 mc.).**

MISCELLANEOUS APPLICATIONS

W4XFM—Voice of Alabama, Inc., Birmingham, Ala.—License to cover construction permit (B3-PEX-47) as modified, which authorized a new developmental broadcast station.

W9XK—The Journal Co. (The Milwaukee Journal), Richfield, Wis.—License to cover construction permit (B4-PEX-70) which authorized a new developmental broadcast station.

KAZA—WKY Radiophone Co., Oklahoma City, Okla.—License to cover construction permit (B3-PRY-301) which authorized change of transmitter site and antenna changes.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to sbow cause why cease and desist orders sbould not be issued against them.

James Lloyd Cayne, also known as James Lloyd Cayce, and Herbert W. Cayne, also known as Herbert W. Cayce, trading as Rejuvene Manufacturing Co., 2511 Prince Street, Berkeley, Calif., compounding and selling a cosmetic preparation designated "Rejuvene," are charged in a complaint with misrepresentation. (5355)

International Association of Electrotypers and Stereotypers, Inc., 949 Leader Bldg., Cleveland, Ohio, and its officers and members are charged in a complaint with engaging in a conspiracy to fix uniform prices for electrotypes, stereotypes, matrices and multigraphs. The complaint names as respondents 15 regional and local organizations affiliated with the International Association, which, together with their members and officers, allegedly have cooperated among themselves and tbrough International to fix and maintain uniform prices, discounts and terms of sale for their products. (5356)

Publishers Service Company, Inc., 75 West Street, New York, conducting puzzle contests as a means of inducing the purchase of books and publications which it sells, is charged in a complaint with misrepresentation and unfair and deceptive acts and practices in commerce. (5357)

CEASE AND DESIST ORDERS

The Commission issued tbe following cease and desist orders last week:

Grand Rapids Furniture House, 500 West Mancbester Blvd., Los Angeles, has been ordered to cease and desist from misrepresentations concerning furniture sold and distributed by him. (5095)

Peggy Shops, Inc., trading as Karlton Vogue Shop, 1412 Chestnut Street, Philadelphia, selling and distributing women's clothing, has been ordered to cease and desist from violation of the provisions of the Wool Products Labeling Act. (5035)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Quinn Publishing Company, Inc., 745 Fifth Avenue, New York, selling and distributing paper bound books, has entered into a stipulation in which it agrees to cease and desist from certain unfair practices. The company obtains from publisbers or authors the right to sell reprints of their books, the reprints being abridged with a reference thereto printed on the page opposite the title page stating that the titles are selected from the best of recent two-dollar mystery novels, edited to modern, convenient reading lengths. (4092)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 31, August 3, 1945

ANNUAL REPORTS

As a part of this week's issue of the NAB REPORTS the 23rd Annual Report of the President, Secretary-Treasurer, and Department Directors of NAB are included. These are documents which every member should read carefully to fully familiarize himself with the extent of the Association's activities.

FCC APPROVES WLW TRANSFER

The Federal Communications Commission announced today that the application of Powel Crosley, Jr., transferor, and The Aviation Corporation, transferee, for consent to transfer control of The Crosley Corporation, licensee of Radio Station WLW and holder of other radio licenses, had been granted by a vote of 4 to 3.

The decision followed oral arguments heard today from counsel for the parties and after an earlier hearing upon the application.

Voting in favor of the granting of the application were Commissioners Porter, chairman, Jett, Denny and Wills. Commissioners Walker, Wakefield and Durr voted to deny the application.

Opinions reflecting the views of the majority and minority in the matter will be issued within a short time.

The Commission was unanimous in its views that some of the problems presented by this case require legislative determination and the opinions subsequently to be issued will be transmitted to Congress with specific recommendations for new legislation.

INDUSTRY TAKES ON SECOND JOB FOR OVERSEAS MILITARY PERSONNEL

Military personnel throughout the world, outside the United States, are going to hear, "Music from Your Hometown." Actual production will begin next week when the 63 stations listed below begin recording locally or nationally known bands. This opportunity to be of direct service to overseas servicemen is the second to which the industry has responded. The first was to produce the series of 180 "Let's Go to Town" programs, requested by General Eisenhower. This series still continues.

Request for the "Music from Your Hometown" series was made by Armed Forces Radio Service, Los Angeles, the organization through which the combined War and Navy departments function in building programs for the benefit of overseas military personnel.

After a survey of stations in cities selected by AFRS, to determine feasibility of the job, a kit of instructions, including the Petrillo music clearance, was mailed by NAB earlier this week. Each station listed will produce two 15-minute programs per month, cut consecutively and in duplicate, a total of 6 programs for the three months period now under consideration. No objection is interposed by AFRS if the three sets of cuts are shipped within a shorter period.

Opening

"Music from Your Hometown" opens with fanfare or theme and then: "Now we bring you, through the cooperation of radio station AAAA, Chicago, Paul Whiteman's orchestra, direct from the Edgewater Beach Hotel, on Chicago's famous North Shore, overlooking Lake Michigan," plus any other nostalgic descriptive copy of an untimely (this means not "dated" as to the time of year, so that recording would be satisfactory for repeat broadcast at any time) nature.

Cooperating Stations

California
  Los Angeles—KECA, KHJ
  San Diego—KFSD
  San Francisco—KGO, KPO, KYA
Colorado
  Denver—KFEL, KLZ, KMYR, KOA
District of Columbia
  Washington—WOL, WRC
Florida
  Miami—WIOD
  Miami Beach—WKAT
Georgia
  Atlanta—WATL, WGST
Illinois
  Chicago—WBBM, WENR, WGN
Indiana
  Indianapolis—WISH
Kentucky
  Louisville—WAVE, WGRC
Louisiana
  New Orleans—WDSU, WSMB
Maryland
  Baltimore—WCAO
Massachusetts
  Boston—WBZ

(Continued on next page)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

MICHIGAN
  Detroit—WWJ
MINNESOTA
  Minneapolis—WCCO
  St. Paul—KTSP
MISSOURI
  Kansas City—WHB
NEBRASKA
  Omaha—KOIL
NEW YORK
  Buffalo—WBEN, WEBR
  New York—WABC, WEAF, WINS, WJZ
OHIO
  Cincinnati—WLW
  Cleveland—WTAM
OKLAHOMA
  Oklahoma City—KOMA
OREGON
  Portland—KOIN
PENNSYLVANIA
  Philadelphia—WCAU, WIBG, WIP
  Pittsburgh—KDKA, KQV
TENNESSEE
  Memphis—WMC, WMPS, WREC
  Nashville—WLAC, WSM
TEXAS
  Dallas—KRLD, WFAA
  Houston—KPRC, KTHT
  San Antonio—KONO
UTAH
  Salt Lake City—KUTA
WASHINGTON
  Seattle—KJR, KOMO, KRSC
  Spokane—KFPY, KGA-KHQ
  Tacoma—KMO

WLB APPROVES RATE HIKE TO MAINTAIN TAKE-HOME UNDER REDUCED WORKWEEK

In a decision of interest to employers contemplating reduction of workweek, the War Labor Board unanimously knocks down a Sixth Regional Board ruling modifying a Form 10 request for permission to reduce weekly hours from 44 to 40 with an accompanying increase in hourly rates to maintain annual take-home.

Northwestern Public Service Company and Dakota Public Service Company, both of Huron, South Dakota, and AFL's Electrical Workers proposed increases averaging approximately six cents an hour to compensate for reduction in hours. They agreed to effect the adjustment in two stages: Approximately one-half the boost would take effect June 1, 1944, the remainder March 1, 1945.

The Regional Board approved the first half of the increase in November, 1944, rules that an application covering the second half should be resubmitted approximately six weeks before the proposed effective date. The second application was filed in January, 1945.

Acting on the second proposal, the Regional Board found that the proposed new rates were approximately half a cent above approvable rates for the area. Apparently deciding that the question of maintaining take-home despite reduction in hours must be determined on the basis of approvability of the proposed rates in terms of the appropriate stabilized rates, the Regional Board cut half a cent from the proposed rates.

The companies held in their appeal to the National Board that the Regional ruling of partial approval defeated the purpose of the requested adjustment, which was to translate the actual annual take-home for a 44-hour week into at least the same annual take-home for a 40-hour week, stated in terms of an hourly straight-time rate with holidays excluded.

They noted that the union agreed to discontinue pay for holidays not worked—a step which resulted in a reduction of approximately nine-tenths of an hour a week and the proposed hourly rates took into account this elimination of holiday pay. Management declared that the Regional Board seemed to attach unusual importance to half a cent an hour, argued that the proposed rates were not out of line with stabilized rates. The schedule proposed by the Regional Board, said the employers, constitutes a slight reduction in take-home, whereas the proposed rates substantially maintain take-home.

The National Board without explanation sets aside the Regional ruling, approves the Form 10 application in full. (Case No. 6-58,686, NWLB (RWLB 6), May 22, 1945.)

NAB ISSUES G.I. RIGHTS BULLETIN

This week there was mailed to all member stations a manual on the "Rights and Responsibilities of Radio Stations in the Re-employment of Former Employee—Veterans." This manual will be kept up to date by supplements which will be issued from time to time. Covers in which to file this first edition of the manual and all supplements are on order and when delivered will be sent complimentary to each member station. We strongly recommend that you file this manual after having carefully read it and considered its relation to your operation.

FAT SALVAGE NEEDS MORE RADIO HELP

For the next six to eight months, and probably for the entire year, the supply of fats and oils will be critically short. Necessity for fat salvage has therefore achieved an emergency rating. All this is on the authority of the U. S. Department of Agriculture.

It is understood that OWI Regional Offices have released fat salvage broadcast material from time to time, and that ½-minute, 1-minute and 15-20-word spots recently have been sent stations in some areas. On July 23, regional offices were advised to line up with U. S. Department of Agriculture men who handled the fat salvage campaign in the field. This should cause additional material to reach broadcast stations soon.

Since fat salvage is so critical, stations are urged to step up promotion on their own account without waiting. Here are the reasons why the nation needs to save fats.

Why We Still Need to Save Fats

In peace time we used 10 billion pounds of fats and oils for food, paints, textiles, soap and many other purposes. Of this 10 billion pounds we produced four-fifths (8 billion pounds) out of normal crops of cotton, corn, peanuts, other oil crops, hogs and cattle. We imported one-fifth (2 billion

(Continued on next page)

pounds). Most of these imports came from Malaya, Dutch East Indies, and the Philippine Islands. The war cut off our imports just when we needed more fats and oils. War called for more edible fats for food, more glycerine for explosives and medicine, more soap for synthetic rubber and military needs and more paints, varnishes and greases.

The American farmer worked production miracles to meet all needs. He raised more soybeans, flax seed, peanuts and other oil crops; more hogs and cattle. He boosted production from 8 to 12 billion pounds. But this was not enough for the hungry war machine operating around the globe. By 1943 we were sending almost 1½ billion pounds of fats and oils abroad . . . one-eighth of our production of 12 billion pounds.

The requirement picture is still the same despite the victory in Europe and retaking of the Philippine Islands. Supply lines have lengthened. Besides, we must send more fats and oils to Europe.

The Philippines can give us no real help until 1946—at the earliest. Oil-pressing plants have been destroyed; coconut groves have been burned or are out of shape; the inter-island transportation system has broken down.

This is the overall picture of both edible and inedible fats. Stocks of inedible fats are now the lowest in years, and short supplies of edible fats leave little for inedible uses. (Paints, soaps, etc.)

The next six or eight months will be the most critical of all!

There is only one answer: We all must save more used fats. Every drop will help—even a tablespoonful per day will add up to a pound a month. Mrs. Housewife gets extra red points as well as money—and she helps her country.

From the best estimate of production, imports and used fats the Department of Agriculture says:

"The entire fat and oil situation looks very dark for the next fiscal year and extremely dark for the next six months."

Simply to impress you with the seriousness of the situation and not for inclusion in any broadcast material, because it would only create a reign of fear, we will have the lowest civilian production in soap during any period of the war, using 1940-41 as an average (base 100%). Package and bar soap production last year stood at about 90% of the 1940-41 figure. This year the quota for civilian soap will average 74% or less of that base. Bulk quotas are cut even further. Other industries using fats and oils are taking the same kind of cuts.

MARKS NUMBERS STILL UNDER BMI LICENSE

The Legal Department of Broadcast Music, Inc., has issued an important bulletin respecting the rights of its licensees to use the compositions of the Edward B. Marks Corporation. The full bulletin follows:

"On May 3rd, 1945, we sent you a special memorandum concerning the recent court decision in the Supreme Court of the State of New York relating to the Edward B. Marks Corporation.

"As we pointed out in this memorandum the recent court decision IN NO WAY AFFECTS ANY MARKS COMPOSITIONS WHICH HAVE BEEN LISTED IN YOUR BMI INDEX OR IN ANY SUPPLEMENTS THERETO. YOU CONTINUE TO HAVE THE RIGHT TO PERFORM ALL OF THESE WORKS UNDER OUR LICENSE.

"Recent letters from a number of important stations all over the country indicate that ASCAP has embarked upon a campaign of using the recent court decision to make claims with respect to numerous compositions published by Marks and which are not in the slightest involved in the decision. For instance, ASCAP has, during the past few weeks, demanded payment from per program licensees for such works as "Ida, Sweet as Apple Cider." "What a Difference a Day Made," "Amapola," "Poinciana," "Song of the Islands," "Nightingale," "Lamp of Memory" and many others. These compositions have always been available to you under your BMI license and subject to the indemnity provisions of that license. NOTHING IN THE RECENT COURT DECISION AFFECTS THIS SITUATION IN THE SLIGHEST.

"We repeat: ANY COMPOSITION WHICH IS PUBLISHED BY MARKS AND WHICH IS LISTED IN THE BMI GENERAL INDEX OR ANY SUPPLEMENT THERETO IS AVAILABLE TO YOU UNDER YOUR BMI LICENSE AND SUBJECT TO THE FULL PROTECTION OF THAT LICENSE.

"You should carefully check any claim by ASCAP against your BMI General Index and its supplements, and if any work, with respect to which claim is made, is not listed therein, or if you have any doubt about it, you should write directly to us and we will tell you whether it falls within the protective provisions of your license. DISREGARD ANY CLAIMS WHICH ARE MADE CONTRARY TO THIS BULLETIN!"

RADIO
1920 - 1945
XXV

JAYCEE RADIO WEEK PROVIDES NATIONAL FREE SPEECH FORUM

Jaycee Radio Week, August 26-September 1, provides a nation-wide forum, through local Chambers of Commerce, for the discussion of free radio. NAB Special Twenty-fifth Anniversary Bulletin No. 14, with this issue of REPORTS, discusses the broad scope of the event and its possibilities for the improvement of public understanding of the American system of broadcasting.

Probable Jaycee activities are enumerated, adhering to the aggressive style of the U. S. Junior Chamber. Copies of letters to local and state Jaycee Presidents are reproduced. Program and promotion suggestions are made for broadcasters.

The front cover of Bulletin No. 14 features the photograph of President Truman with his statement that RADIO—"must be maintained as free as the press." It is urged that a large duplicate of this photo and statement be displayed at any and all meetings during Jaycee Radio Week.

Read Bulletin No. 14. Make your preparations now. Please wire or air mail a brief report of your plans to the NAB Public Relations Department for the help of others and so that headquarters may be advised of developments as they occur.

WPB REMOVES COMPONENT RESTRICTIONS

Restrictions on the production and sale of parts required for the manufacture and repair of electronic equipment, including radio sets, were removed by the War Production Board today as a major step in reconversion of the radio industry. In addition, restrictions were removed from the sale of electronic equipment when produced under WPB authorization, the agency announced.

This was effected by amendment to the WPB limitation order (L-265) controlling electronic equipment.

(Continued on next page)

Although electronic equipment may now be assembled and sold under "spot" authorizations, WPB said that the public need not expect any quantity of new sets in the near future, since manufacturers must first seek WPB permission and then obtain materials and component parts before they can assemble sets and release them to retailers.

There are no restrictions on either the production or sale of component parts for electronic equipment under the amended order just issued, WPB pointed out, adding that the only remaining limitations on quantities that may be purchased are those on inventories in Priorities Regulation 1.

RTPB ELECTS OFFICERS

The Administrative Committee of the Radio Technical Planning Board met in New York City on July 26 for the purpose of electing officers for the term October 1, 1945 to September 30, 1946.

The following were elected: Mr. Haraden Pratt, Chairman, Mackay Radio and Tel. Company; Mr. Howard S. Frazier, Vice Chairman, National Association of Broadcasters; Mr. Will Baltin, Treasurer, Television Broadcasters Association and Dr. W. H. Crew, Secretary, Institute of Radio Engineers.

PANEL 4 VOTES ON PROPOSALS TO EXTEND THE STANDARD BROADCAST BAND

Panel 4 on Standard Broadcasting of the RTPB has announced the result of the mail ballot conducted in connection with the three proposals to extend the standard broadcast band.

According to the announcement made on August 2 by Howard S. Frazier, chairman of the panel, 31 affirmative votes were cast to include 540 kc and no negative votes. The proposal to include 530 kc in the broadcast band received 20 affirmative votes and 11 negative votes. The third proposal on which the panel voted, the inclusion of 520 kc in the broadcast band, received 15 affirmative votes and 16 negative votes.

BASIS FOR USE OF SURPLUS EQUIPMENT BY SCHOOLS

Considerable concern has been expressed in several quarters over the reports that plans are being considered for making all surplus radio and electronic equipment owned by the Government available to schools on a favored basis. A special committee of educators named by the Office of Education, met in Washington last month to discuss this subject.

The Committee endorsed the suggestion made at the Conference on Utilization by Education of Surplus Radio Equipment June 18-20 that "the basis of surplus communications equipment acquisition by educational institutions be such as to preclude the possibility either of disposing of it, either by sale, gift or trade-in, to any individual, corporation, organization or institution other than a federal or state agency empowered by law to receive it, or of using it for other than bona fide educational applications."

OFFICIALS ACCLAIM STATION HELP

Following the successful completion of the 7th War Loan, officials of local War Finance committees have been prompt to acknowledge the value of the leadership which broadcasters supplied.

From Pampa (Texas) News

Judge Stennis, of the Gray County War Finance Committee, had this to say in the July 9 issue of the Pampa News, carried in a two column box story on the front page:

"It is with satisfaction that I point out and commend the constant information program of radio station KPDN, with a total of a third of all broadcast time during the drive given to the information of buying war bonds and the outstanding job done by this station on promotion of "Here's Your Infantry."

From Region 1, State of Maryland

On July 25, Charles A. Pifer, chairman of Region 1, State of Maryland, War Finance committee, wrote NAB of his own volition of the help received from WTBO, Cumberland. Said the Chairman:

"In the Seventh War Loan, we raised 114% of our 'E' bond goal, 120% of our individuals' sales, and 198% of our total over-all goal. . . . This remarkable record is due in a large part to the amount of time given to our Committee by WTBO.

"I thought you would be interested in this report, and I can assure you that it is sent to you unsolicited by the management of WTBO."

Says Elliott Stewart, WIBX

"The dollar value figures of broadcast support to the 7th War Loan as compiled by NAB Research Department, reflect great credit on the entire broadcasting industry. . . . One doesn't ask for thanks for this sort of a job but it was gratifying to us to receive a Billboard award for our support of the local appearance of 'Here's Your Infantry.' It certainly behooves all of us to team up to bring this war to the earliest possible conclusion—then use our combined facilities in maintaining the peace forever after."

COMPLETE FLINT LET'S GO TO TOWN SHOW

Task Force Commander Howard M. Loeb, general manager, WFDF, completed and shipped the Flint "Let's Go to Town" production on July 24. Writing and Production was handled by A. R. Cooper, program director.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, August 6.

Federal Communications Commission Action

APPLICATIONS GRANTED

Philco Radio and Television Corp., Wyndmoor, Pa.—Granted construction permit for new experimental television broadcast station for the purpose of developing a television system to operate in the 480 to 920 mc. region now assigned for experimental television; frequencies to be assigned by Commission's Chief Engineer from time to time; A3, A5, special, and special emission for frequency modulation; power 1

(Continued on next page)

KW (peak) visual and aural; Philco composite transmitter. (B2-PVB-148)

Philco Radio and Television Corp., Portable, area of Washington, D. C., Philadelphia, Pa., and New York, N. Y.—Granted construction permits for three experimental television relay stations, for the purpose of developing and testing microwave television relay equipment and television broadcast equipment to be developed for use in the postwar period; frequencies to be assigned by Commission's Chief Engineer from time to time; A0, A1, A3, A5, special, and special for FM emissions; peak power 50,000 watts. (B1-PVB-152 through 154)

LICENSE RENEWALS

WSTV—The Valley Broadcasting Co., Steubenville, Ohio—Granted renewal of license for period ending February 1, 1947. (B2-R-2006)

WHAT—Independence Broadcasting Co., Philadelphia, Pa.—Granted renewal of license for period ending February 1, 1947. (B2-R-359)

WJPR—Thomas Henry Golding, et al., d/b as Radio Services Company, Greenville, Miss.—Granted renewal of license for period ending February 1, 1947. (B3-R-1026)

WLAK—S. O. Ward, tr/as Radio Station WLAK, Lakeland, Fla.—Granted renewal of license for period ending February 1, 1947. (B3-R-884)

KTUC—Tucson Broadcasting Co., Tucson, Ariz.—Granted renewal of license for period ending August 1, 1947 (Commissioner Durr voting for further inquiry). (B5-R-102)

MISCELLANEOUS

KFSD—Airfan Radio Corporation, Ltd., San Diego, Calif.—Adopted memorandum opinion granting conditionally application for construction permit to install new transmitter. (B5-P-3877)

WATT—Midwestern Broadcasting Co., Cadillac, Mich.—Granted modification of construction permit, which authorized new station, for change in transmitter location. (B2-MP-1809)

WHTB—Voice of Talladega, Inc., Talladega, Ala.—Granted modification of construction permit, which authorized new station, for changes in antenna. (B3-MP-1810)

WKAQ—Radio Corp. of Porto Rico, San Juan, P. R.—Granted license to cover construction permit which authorized move of auxiliary transmitter to new site of main transmitter (B-L-1893); granted authority to determine operating power by direct measurement of antenna power (B-Z-1698). Granted license to cover construction permit which authorized move of transmitter and studio. (B-L-1899)

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted further extension of temporary license of Station WBAX, upon a temporary basis only, pending determination upon application in Docket No. 6723, in no event later than 3 a. m., October 1, 1945.

KPAS—Pacific Coast Broadcasting Company, Pasadena, Calif.—Granted petition for permission to file its appearance in the matter of clear channel broadcasting in the standard broadcast band (Docket No. 6741), and accepted the appearance.

APPLICATIONS FILED AT FCC

1230 Kilocycles

NEW—James A. Noe, Lake Charles, La. (P.O. Bernhardt Bldg., Monroe, La.).—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, with power of 100 watts, and unlimited hours of operation.

1400 Kilocycles

NEW—Geo. Burne Smith and V. H. McLean, d/b as The Gateway Broadcasting Co., Maryville, Tenn. (P.O. 3806 N. Broadway, Knoxville, Tenn.).—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, with power of 250 watts, and unlimited time.

WNEX—Macon Broadcasting Co., Macon, Ga.—Authority to determine operating power by direct measurement of antenna power.

1450 Kilocycles

NEW—Glens Falls Broadcasting Corp., Glens Falls, N. Y.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unlimited hours of operation. AMENDED: to make changes in transmitting equipment.

WLEE—Thomas Garland Tinsley, Jr., Richmond, Va.—Modification of construction permit (B2-P-3644, as modified, which authorized a new standard broadcast station) for installation of new antenna, change in transmitter location, and extension of commencement and completion dates.

NEW—Tri-County Broadcasting Corp., Orangeburg, S. C. (P.O. 28 St. Paul St.).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unlimited hours of operation.

KFMB—Worcester Broadcasting Corp., San Diego, Calif.—Modification of license to change corporate name to The Jack Gross Broadcasting Company.

1460 Kilocycles

KTYW—Cascade Broadcasting Co., Inc., Yakima, Wash.—Construction permit to increase power from 500 watts day and night to 1 KW day and night, and make changes in transmitting equipment.

FM APPLICATIONS

NEW—RadiOhio Incorporated, Springfield, Ohio (P.O. 33 N. High St., Columbus, Ohio).—Construction permit for a new high frequency (FM) broadcast station to be operated on **44.7 mc.**, with coverage of 3,068 square miles.

NEW—RadiOhio Incorporated, Portsmouth, Ohio (P.O. 33 N. High St., Columbus, Ohio).—Construction permit for a new high frequency (FM) broadcast station to be operated on **44.9 mc.**, with coverage of 2,273 square miles.

NEW—RadiOhio Incorporated, Zanesville, Ohio (P.O. 33 N. High St., Columbus, Ohio).—Construction permit for a new high frequency (FM) broadcast station to be operated on **44.7 mc.**, with coverage of 3,525 square miles.

NEW—Georgia-Alabama Broadcasting Corp., Columbus, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46.3 mc.**, with coverage of 9,500 square miles. AMENDED to change coverage from 9,500 square miles to 10,320 square miles, and specify antenna system.

NEW—The Marion Broadcasting Co., Marion, Ohio (P.O. North Main St.).—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.5 mc.**, with coverage of 3,868 square miles.

NEW—RadiOhio Incorporated, Marion, Ohio (P.O. 33 N. High St., Columbus, Ohio).—Construction permit for a new high frequency (FM) broadcast station to be operated on **44.9 mc.**, with coverage of 2,327 square miles.

NEW—Reading Broadcasting Co., Reading, Pa. (P.O. 533 Penn St.).—Construction permit for a new high frequency (FM) broadcast station to be operated on **48.1 mc.**, with coverage of 4,750 square miles.

NEW—Royal Miller, Marion Miller, L. H. Penney and Gladys W. Penney, a partnership, d/b as Royal Miller Radio, Sacramento, Calif. (P.O. 10th and K Sts.).—Construction permit for a new high frequency (FM) broadcast station to be operated on **48.1 mc.**, with coverage of 2,629 square miles.

NEW—F. B. Clements & Co., a co-partnership, composed of F. Braden Clements, Clara D. Clements and C. C. Clements, d/b as Southern Minnesota Supply Co., Mankato, Minn. (P.O. 101 N. Second St.).—Construction permit for a new high frequency (FM) broadcast station to be operated on **47.1 mc.**, with coverage of 9,660 square miles.

NEW—J. C. Lee and E. W. Lee (Lee Brothers Broadcasting Co.), San Bernardino, Calif. (P.O. 512 Fifth St.).—Construction permit for a new high frequency (FM) broadcast station to be operated on **44.9 mc.**, with coverage of 13,000 square miles.

TELEVISION APPLICATIONS

KTSL—Don Lee Broadcasting System, Hollywood, Calif.—Modification of construction permit (B5-PCT-7, as modified,

(Continued on next page)

which authorized a new commercial television broadcast station) for change in frequency from Channel #1 (**50-56 mc.**) to Channel #1 (**44-50 mc.**) and install new transmitters. AMENDED to change ESR from 5600 to visual 11300 and aural 8000.

W6XIS—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Modification of construction permit (B5-PVB-98, which authorized a new experimental television broadcast station) for extension of completion date.

MISCELLANEOUS APPLICATION

WJYK—Fred R. Hover, tr/as Findlay Radio Co., area of Findlay, Ohio.—License to cover construction permit (B2-PRE-444) which authorized a new relay broadcast station.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Ashworth Specialty Company and as Ashworth Rubber Salvage Company, 255 Union Avenue, Memphis, Tenn., also maintaining distribution yards in Kansas City and St. Louis, Mo., and purchasing and selling old automobile tire carcasses, is charged in a complaint with misrepresentation. (5361)

L. Heller & Son, Inc., and The Heller Deltah Company, Inc., both of 411 Fifth Avenue, New York, wholesale distributors of imported merchandise, including imitation pearls, are charged in a complaint with misrepresentation. (5358)

Illinois Baking Corp., manufacturing and selling ice cream cones designated "Safe-T-Cones," and John Carobus, trading as Sibert Company, advertising and publicizing Safe-T-Cones for the respondent corporation, both located at 2230 South Union Avenue, Chicago, are charged in a complaint with misrepresentation. (6362)

National Paperboard Assn.—A complaint has been issued charging National Paperboard Association, 80 East Jackson Blvd., Chicago, and its officers and member manufacturers with participating in an unlawful combination to eliminate competition in price, restrict production and monopolize the manufacture and sale of paperboard and paperboard products. The association members allegedly do 90 percent of the industry's business and are in position to control the manufacture and terms and conditions of sale of their products. (5359)

Match Corporation of America, 3433 West 48th Place, Chicago, manufacturing and selling book matches, is charged in a complaint with misrepresentation. (5360)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Originalities, Inc., 104 Fifth Avenue, New York, engaged as a jobber in the sale and distribution of cheap jewelry and novelties, has stipulated to cease and desist from certain misrepresentations of its products. (4093)

George Rogers, Jr., 321 North Alamo St., San Antonio, Texas, trading as Pluggers, Inc., in the sale and distribution of spark plug cable sets, has stipulated to cease and desist from use of the letters "Inc." as part of or in connection with the trade name under which he conducts his business, and from representing himself as "President" or any other purported corporate officer, the effect of which tends to convey the belief that the business conducted by him is a corporate entity. (4056)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Globe Trading Company, Inc., and Leon Shutz and Rothermel Wise, officers of the corporation, and Theodore E. Ullman and Herman Ullman, employees, all of Reading, Pa., selling and distributing hosiery, have been ordered to cease and desist from violation of the Federal Trade Commission Act and the Wool Products Labeling Act. (5098)

Shields of Faith Company, 85 Van Braam Street, Pittsburgh, and formerly 230 East Ohio Street, Chicago, selling and distributing metal-covered religious books represented as affording protection to members of the armed forces, have been ordered to cease and desist from misrepresentations concerning the books. (5265)

FTC CASE CLOSED

Sanitized, Inc., 369 Lexington Ave., New York, manufacturing and distributing a chemical liquid compound designated "Sanit," and its officers; several associated corporations; and an advertising agency have stipulated with the Federal Trade Commission that they will discontinue certain representations concerning the compound and its efficacy as an antiseptic.

After accepting the stipulation the Commission closed without prejudice the case growing out of the complaint it had issued against the respondents August 8, 1944.

John A. Morgan, Louis D. Clement, H. C. Paetz, E. P. Cobb, F. H. Hans, and Mrs. A. Kane are named as officers and directors of Sanitized, Inc. The other corporations and individuals named are: U. S. Process Corp., 369 Lexington Ave., New York, and Julius Scheinbaum, Rebecca Scheinbaum, Samuel Scheinbaum, Frank Carr and Philip S. Joseph, its officers and directors; Golding Brothers Co., Inc., 270 Broadway, New York, and Harry Golding, Julius Golding, and Sidney Golding, its officers and directors; The Shoe & Leather Institute, Inc., 369 Lexington Ave., New York, and William C. Hunneman, Jr., Frank C. Donovan, Philip S. Joseph, Martin A. North, and George Mealley, its officers and directors; and Sanitized Bedding Associates, Inc., 270 Broadway, New York, and Sidney Keates, Martin A. North and Sidney Golding, its officers and directors; Morgan Laundry Service, Inc, 2339 South Prairie Ave., Chicago, and A. K. Morgan, H. C. Paetz, T. O. Weiss, John A. Morgan and H. P. Morgan, its officers and directors; Morgan Linen Service, Inc., 2620 South Indiana Ave., Chicago, and A. K. Morgan, A. B. Cobb, J. C. Lewis, W. C. Graham, J. A. Morgan and K. P. Morgan, its officials; Morgan Service, Inc., 224 South Michigan Ave., Chicago, and A. K. Morgan, E. P. Cobb, H. C. Paetz, L. C. Morris, John A. Morgan and J. H. Evans, its officials; and Grey Advertising Agency, Inc., 128 West 31st St., New York, and Martin A. North who owns and operates the corporation.

In the conduct of their business for inducing the purchase of Sanit liquid and the materials treated with the liquid, the respondents have made and placed in the hands of others the means of making, through radio continuities, advertisements in newspapers, pamphlets and other media, false representations that the liquid is an effective antiseptic and bacteriostat; that when applied to various materials, it makes them sterile, self-sterilizing and permanently antiseptic, bacteriostatic, vermin-repellent and inimical to the propagation of bacteria. It was further falsely represented that the liquid is a deodorant, harmless to humans and beneficial to the human skin, and that it is not removable from materials and renders such materials less inflammable and prevents fiber decay, oxidation, redrot and cracking of leather caused by perspi-

(Continued on next page)

ration, and makes all materials to which it is applied longer lasting to a material and significant degree.

The respondents agree in connection with the sale and distribution of the product to cease representing that "Sanit" liquid is a permanently effective, integrally sterile, self-sterilizing antiseptic, bacteriostat or vermifuge; that it is a permanently effective deodorant, will not wash off of fabrics, or that it is a fiber-fixing chemical like dyes.

They further agree to cease representing that "Sanit" liquid is entirely harmless under all conditions of use and is beneficial to the skin; that "Sanitizing" is the permanent fixation of self-sterilizing, germ-killing elements in leather and other fibrous material; that "Sanitized" mattress ticking is permanentlyactively antiseptic and bacteriostatic; that it protects permanently against the breeding of germs and vermin; that "Sanitized" materials are a permanent protection against all manner of germ infection and disease virus, or that "Sanitized" is a process whereby linens are permanently rendered actively antiseptic and integrally sterile.

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 32, August 10, 1945

NAB BOARD MEETS

In a two-day session, Monday and Tuesday (6-7), the Board of Directors gave formal approval to the action of the Committee to Select the President in appointing Justin Miller as NAB President for a five-year term beginning October 1.

They also endorsed the action of the Committee in electing A. D. (Jess) Willard, Jr., to the newly created position of Executive Vice President of the Association. Mr. Willard is now the Manager of WBT, Charlotte, North Carolina.

He has a background of almost 20 years in radio and is thoroughly familiar with all phases of the business. He started his career with WCAO in Baltimore in 1927 with the first morning musical clock program to be broadcast. The following year he went with WFBR and later became sales manager and manager of that station. In 1932 when CBS purchased WJSV (now WTOP) in Washington, Willard joined the staff and was named sales manager the following year. He became General Manager in 1937 and continued in that capacity until he was transferred to Charlotte in 1942 to guide the destiny of Columbia owned WBT.

During his residence in Washington, as well as in Charlotte, he has been active in many civic affairs. In Charlotte he has been campaign chairman of two YMCA membership campaigns; general solicitation chairman of the War and Community Chest; a member and Vice President of the Mecklenberg Council of Boy Scouts of America; a member of the board of the Salvation Army and the Red Shield Boys' Club; a Kiwanian; and a member of the Charlotte Country Club.

Mr. Willard married the former Georgianna Courtney. They have two children, Courtney, age 13, and Arthur DeWalt, III, who is 6.

Ryan Continues

Acceding to the unanimously expressed wishes of the Board, J. Harold Ryan, Vice President and Treasurer, on leave, of the Fort Industry Company, who has served as NAB President since April, 1944, has agreed to continue in that capacity until October 1, when Justin Miller assumes his duties. Although Mr. Ryan will spend a part of his time in Toledo, the home offices of the Fort Industry Company, he will be in constant touch with NAB headquarters. C. E. Arney, Secretary-Treasurer, will direct NAB activities in the periods of Mr. Ryan's absence from Washington.

FMBI Invited

The Board, by resolution, extended a cordial invitation to officers and members of Frequency Modulation Broadcasters, Inc., to join with them in working out a constructive plan through which FMBI may be absorbed by NAB to the end that there will be one over-all industry organization.

Associate Member Fees Fixed

Pursuant to a recently enacted By-Law, the Board fixed the fees which are to apply to the new classes of Associate Members. FCC qualified attorneys, lawyers representing member stations, and consulting engineers are eligible to associate membership on the basis of annual dues of $75.00. Dues of applicants for new station permits was fixed at $50.00 annually; and construction permit holders, at $60.00 annually.

Employer-Employee Activities Broadened

Acting upon the report of the Labor Executive Committee, the Board authorized an expansion in the services which the Association renders to its member stations with respect to employer-employee relationships. The new plan contemplates the gathering of all possible information and data respecting existing employer-employee relationships, and also all information with respect to rules, regulations, and laws, which affect these relations. It likewise embraces the rendition of personalized service to individual station management.

Revised Standards of Practice

The Board approved revised Standards of Practice submitted by the Code Committee. A full statement regarding this revision is contained elsewhere in this issue of the REPORTS.

IRE Building Fund

A request for a subscription from NAB of $5,000 for the IRE Building Fund was considered. The Board commended the project as one worthy of the consideration of the individual broadcasters but felt that subscription to the building fund of an outside organization would establish a dangerous precedent for the NAB. For this reason the request was denied.

Next Board Meeting

The Board is to meet again in Washington early in October at which time Justin Miller will be formally inaugurated. The plans to mark this ceremony have not yet been fully developed. Announcement will be made later.

RADIO DID 55% 7TH WAR LOAN PROMOTION

The broadcast industry—stations, networks, advertisers—contributed 55 per cent of the combined support given the 7th War Loan by all media. Broadcast support was $23,513,742; all other $19,121,717—total $42,635,459. This is in accordance with the release issued by the War Finance Division, Treasury Department, August 6.

7th War Loan broadcasting showed an increase of 109 per cent over the $11,250,000 reported for the 6th War Loan. For the same period all media, excluding broadcasting, registered a 36 per cent increase.

(Continued on next page)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf. *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

Here is the breakdown of media support to the 7th:

Daily & Sunday Newspaper display....	$ 7,426,935
Daily Classified	303,535
Weekly Newspapers	3,125,386
Controlled Circulation Newspapers...... (Give-away sheets)	1,163,344
Magazines (general, public, farm)......	3,751,495
Outdoor and Car Cards................	3,351,022
Support—less broadcasting............	$19,121,717
Broadcasting support	23,513,742
Total	$42,635,459

THAW

The FCC has announced (Aug. 7) that it will commence to process applications after October 7 and expects that standard permittees will be able to complete construction within the normal period without unreasonable difficulty. FM and Television applications cannot be acted upon until the FCC adopts regulations for those services.

The following procedures will be observed in processing applications:

a. *Pending applications upon which no Commission action has been taken*—These applications will not be acted on for a period of at least 60 days from August 7, 1945. During that interim applicants may file such amendments as may be necessary to reflect new or changed conditions from those stated in the application. Such amendments shall be made in accordance with section 1.121 of the Rules of Practice and Procedure, in triplicate, and shall become part of said application. At the termination of this 60-day period consideration will be given to these applications in the ordinary course of business and attention will also be given to conflicting applications filed during this 60-day period.

b. *Applications which have been designated for hearing but not yet heard*—The Commission will not announce hearing dates for applications in this category, until the expiration of the 60-day period. Applicants desiring to file amendments shall do so within this period.

c. *Applications which have been heard and the records closed*—Applicants whose cases have been heard and upon which the record has been closed are requested to advise the Commission within the next 60 days of any changes which may have occurred reflecting upon matters of evidence introduced into the record. Copies of such notification shall also be served upon other parties to the proceeding and where additional testimony is required appropriate petitions may be filed to reopen the record for the introduction of this additional evidence.

COURT RESTRICTS AFM

The United States Circuit Court of Appeals at New York has rendered a decision enforcing an order of the National Labor Relations Board requiring the National Broadcasting Company and the American Broadcasting Company to bargain with the National Association of Broadcast Electricians and Technicians as representatives of platter turners in their owned and operated stations outside of Chicago. This court decision resulted from the application of the National Labor Relations Board for a court decision to enforce its order granting jurisdiction of platter turners in the M&O stations outside of Chicago to NABET, which was opposed by the American Federation of Musicians.

If the musicians attempt to interfere with the agreements which are reached between NBC, American and NABET, NLRB presumably can go into court and have the musicians cited for contempt. The full text of the decision follows: .

UNITED STATES CIRCUIT COURT OF APPEALS FOR THE SECOND CIRCUIT

No. 368—October Term, 1944

(Argued June 15, 1945—Decided July 27, 1945)

NATIONAL LABOR RELATIONS BOARD, Petitioner,
v.
NATIONAL BROADCASTING COMPANY, INC., AMERICAN BROADCASTING COMPANY, INC., and AMERICAN FEDERATION OF MUSICIANS,
Respondents.

Before: SWAN, CHASE and CLARK, Circuit Judges.

PETITION FOR ENFORCEMENT OF AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD

Petition by the National Labor Relations Board pursuant to Section 10 (e) of the Wagner Act, 29 USCA § 160 (e), for the enforcement of an order issued by the Board on March 31, 1945, requiring National Broadcasting Company, Inc., and American Broadcasting Company, Inc., respectively, to bargain collectively, upon request with National Association of Broadcast Engineers and Technicians, American Federation of Musicians was a party to the proceedings and is named as a respondent to the Board's petition. It has moved to remand the proceedings for the taking of additional evidence.

Motion denied and petition granted.

ALVIN J. ROCKWELL, General Counsel, Malcolm F. Halliday, Associate General Counsel, Joseph B. Robison and Dominick L. Manoli, attorneys, for petitioner.

CAHILL, GORDON, ZACHRY & REINDEL, attorneys for National Broadcasting Company, Inc.; John T. Cahill, A. L. Ashby and Charles F. Metmar, Jr., of counsel.

FRANKLIN S. WOOD, attorney for American Broadcasting Company, Inc.; Joseph A. McDonald, of counsel.

JOSEPH A. PADWAY, HENRY A. FRIEDMAN and ROBERT A. WILSON, attorneys for American Federation of Musicians.

SWAN, Circuit Judge:

This case is before us upon the petition of the Board for enforcement of an order made in consolidated proceedings brought under Section 10 of the Act, 29 U.S.C.A. § 160, against National Broadcasting Company, Inc., hereafter called NBC, and American Broadcasting Company, Inc., hereafter called ABC.[1] American Federation of Musicians, a labor organization hereafter called AFM, was a party to the proceedings and is named as a respondent to the Board's petition. The order sought to be enforced requires NBC and ABC, respectively, to bargain collectively with National Association of Broadcast Engineers and Technicians, a labor organization hereafter called NABET.

The Section 10 proceedings are a sequel to representation proceedings under Section 9, 29 USCA § 159, which arose out of a jurisdictional labor dispute between AFM and NABET. The dispute between the rival unions involved work known in the broadcasting industry as "platter turning."[2] In the Chicago broadcasting stations of the

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[1] 61 N.L.R.B. 21.

[2] The work of "platter turners," sometimes called turntable-operators, consists of placing phonograph records on one of the two turntables used in broadcasting studios for "on the air playback," adjusting it for either lateral or vertical cut records and fixing its speed in accordance with instructions appearing on the fact of the record, opening the fader control, and, after the record has been played, removing it from the turntable.

(Continued on next page)

respondent companies,[3] platter turning had for many years been done by musicians who were members of a local AFM union, known as Local 10, while in the companies' stations in other cities platter turning had been done by technicians who were members of NABET. Early in 1944 AFM undertook to negotiate contracts with the companies which would require them to employ musicians for platter turning in all their stations after June 1, 1944. NABET countered by initiating representation proceedings. After hearings in which all the parties in interest participated, the Board determined that the appropriate collective bargaining unit in which to include platter turners in Chicago was the unit of musicians, Local 10; but, outside Chicago, platter turners should be included in system-wide units of engineers and technicians. Since the companies, AFM and Local 10 consented to the certification of NABET in such units without further proceedings, no election was directed but NABET was certified as the bargaining representative of the technical employees of NBC and ABC respectively, outside Chicago.[4]

Thereafter the companies notified NABET that they would not bargain with it in respect to platter turners because AFM disputed the validity of the certification of NABET as the representative of platter turners and threatened the companies with strikes if they recognized it as the bargaining representative of such employees. On January 15, 1945, the Board brought the Section 10 proceedings, charging unfair labor practices in violation of Section 8 (1) and (5) of the Act, 29 USCA § 158 (c) and (5) in refusing to bargain collectively with NABET. Copies of the complaint and notice of hearing were served on AFM and it became a party to the proceedings. By its order of March 31, 1945, now before us on petition for enforcement, the Board reaffirmed its unit determination, found that the companies had violated the Act in the respects charged, and ordered them to bargain with NABET upon request.

Neither of the respondent companies disputes the validity of the Board's order or opposes the granting of an order of enforcement. They urge, however, that the enforcement order be so drawn as to protect them from economic reprisals by AFM. Respondent AFM attacks the validity of the order and opposes the granting of an order of enforcement. It contends that the Board's determination that the appropriate unit, outside Chicago, consists of technical employees is arbitrary and unlawful because (1) NABET has never represented or bargained for platter turners as such, and (2) NABET is a company-dominated union. In support of the latter contention it asks leave to adduce additional evidence before the Board.

Pittsburgh Plate Glass Co. v. *Labor Board*, 313 U. S. 146; *Labor Board* v. *Hearst Publications*, 322 U. S. 111, 134; *Merlin-Rockwell Corp.* v. *Labor Board*, 116 F. 2d 586, 587 (C.C.A. 2), cert. den. 313 U. S. 594. The Board found that neither musicial nor technical nor technical skill is essential for turntable operation and made its determination on the basis of the collective bargaining history.[5] AFM contends that the record is barren of evidence that NABET have ever bargained for platter turners. It is true that outside of Chicago the respondent companies have had no employees engaged exclusively in the work of platter turning; in other cities this work has been done by the engineer in the control room as an incident to his other duties. Nevertheless, the contracts between NBC and NABET since 1940 have all contained a provision substantially as follows:

> "No NBC technical equipment other than television lighting shall be operated by any person other than a Technical Employee of NBC, as hereinbefore defined."

And "technical equipment" for the purpose of the contract was defined as "those facilities of the Engineering Department of NBC used in * * * on the air playback." We think the Board could properly conclude that these contracts did represent a collective bargaining as to the work of platter turning even though the employees who performed it were not exclusively engaged in such work, as were the platter turners in the Chicago stations of the companies.

It is also argued that in January 1944 the companies entered into valid contracts with AFM to employ musicians as platter turners in stations outside Chicago after June 1, 1944. But the Board's decision on March 31, 1945, states that the representation proceeding as well as at the oral argument in the complaint proceedings it was admitted that the alleged agreements had been made subject to the Board's determination in a proper representation proceeding that platter turners, except in Chicago, would be included in a musician's unit represented by AFM. This condition was never met. We conclude that the Board's unit determination was not arbitrary or capricious but is supported by substantial evidence.

2. The second contention of AFM is that the trial examiner at the representation hearing unlawfully excluded evidence that NABET was a company dominated union.

The record, however, scarcely justifies the assertion that such evidence was offered and rejected.[6] Counsel for AFM was evidently familiar with the Board practice ordinarily to require an issue of domination to be tried in a separate proceeding and he seems to have acquiesced in this procedure. No objection to it was voiced before the trial examiner nor, so far as appears, was any criticism of his ruling made by AFM in its oral argument at the hearing before the Board on the trial examiner's report. The Board's brief states that this general practice was adopted in representation proceedings in order to avoid the delay that would ensue from the detailed investigation and hearings which must precede the adjudication of unfair labor practice issues.[7] We believe the adoption of such practice is within the Board's discretion. In the Pittsburgh Plate Glass case, 313 U. S. 146, at 156 Mr. Justice Reed said:

> "* * * It can hardly be said that the domination of a labor union by an employer is irrelevant to the question of what unit is appropriate for the choice of labor representative but certainly it is a collateral matter in that investigation. * * * In short, domination pertains directly to representation but influences the choice of a unit only casually."

---

[3] ABC's stations were formerly owned by Blue Network Co., Inc., which was merged with ABC on December 30, 1944. Our opinion will not differentiate between them, unless it expressly so states.

[4] 59 N.L.R.B. No. 97.

[5] On this subject the Board stated: "In the absence of other compelling circumstances, we are of the opinion that the collective bargaining history is determinative of the issue in this proceeding. The status of turntable operating work has been crystallized by long-standing custom in the Companies. On the other hand, Local 10 has had agreements in Chicago from the very infancy of the radio broadcasting industry which have covered turntable operators and, in the development of broadcasting techniques, the Companies have adjusted their operations in Chicago by placing their turntables in the broadcasting studios where they can be operated most conveniently by employees in musicians' units. On the other hand studio engineers, employees in technical units, members of the N.A.B.E.T. and its predecessor, have performed turntable work outside Chicago for at least 4 years. The location of the turntables in the engineer's booth was the inevitable result of this situation. We conclude that the turntable operators outside Chicago should be included in units of technical employees, while those in Chicago should be included in units of musicians."

[6] At the representation hearing on September 28, 1944, the following occurred:

"Trial Examiner Paradise: * * * May it be stipulated that the National Association of Broadcast Engineers and Technicians is a labor organization within the meaning of the National Labor Relations Act, * * * ?

Mr. O'Donoghue: Yes.

Mr. Padway: I want to say this. We won't say yes and we won't say no. Put that on the record at this time. Our people are of the opinion that NABET, so-called, is not a labor organization within the Act, and that it is company-dominated. Since that is not an issue in this proceeding, I take it if evidence were offered you would probably refuse tod take it. Am I right on that?

Trial Examiner Paradise: Yes.

* * * * * * *

Mr. O'Donoghue: But for the purpose of this hearing, it is a labor organization?

Mr. Padway: For the purpose of this hearing it is a labor organization within the Act. In saying that, I do not foreclose myself or our organization from establishing in any other proceeding that it is dominated. Will that be all right?

Trial Examiner Paradise: All right."

[7] The Board's brief states that exceptions to the general practice have been recognized "where the constitution of a labor organization participating in a representation proceeding on its face discloses the unlawful character of the organization, *Matter of Phelps Dodge Corp.*, 6 N.L.R.B. 624; where the organization has been previously found by the Board in a complaint proceeding to be company dominated. *Labor Board* v. *Falk Corp.*, 308 U. S. 453; where a previously disestablished organization appears in a representative proceeding under a different name and the parties have been apprised in advance of the hearing that the issue of identity would be litigated, *Matter of Baltimore Transit Co.*, 59 N.L.R.B. No. 35; and where the evidence has fortuitously disclosed employer participation in the formation of the organization, *Matter of Dauglas Aircraft Co.*. 53 N.L.R.B. 486; *Matter of the Toledo Stamping Mfg. Co.*, 53 N.L.R.B. 486; *Matter of the Toledo Stamping Mfg. Co.*, 55 N.L.R.B 865. The instant case falls into none of these categories."

(Continued on next page)

In the present case not only did counsel for AFM appear to acquiesce in the Board's practice of requiring an issue of domination to be tried in a separate proceeding, but the record shows inexcusable delay on the part of AFM in initiating such a proceeding. Both during the pendency of the representation proceeding and afterward, there was ample opportunity for AFM to bring to the attention of the Board charges of company domination of NABET. The representation proceeing was initiated in April 1944, the hearings were held in September and the unit determination and certification were made on November 24th. Not until January 27, 1945, three days before the date set for the hearing of the refusal to bargain complaint did AFM file its charges. Then at the January 30th hearing it applied for a postponement pending the investigation of the charges filed three days before. In our opinion there was no abuse of discretion in the trial examiner's denial of a postponement.

No adequate excuse is shown for AFM's delay in filing charges and a majority of the court are of the opinion that its motion to remand the proceedings for additional evidence on this subject should be denied. The motion papers show that on March 7, 1945, AFM was notified by the Regional Director that its charges had been carefully investigated and he was refusing to issue a complaint. AFM thereupon filed a request of a review of the dismissal of the charges, and on April 17th the Chairman of the Board wrote Mr. Padway that the Board had concluded that a complaint should not be issued. There is nothing in the motion papers to indicate that a remand for additional evidence would produce anything new or additional to what the Board has already investigated. Determination whether or not to file a complaint after investigating charges of unfair labor practices is discretionary with the Board. See *Labor Board* v. *Indiana & Michigan Electric Co.*, 318 U. S. 9, 18-19; *Jacobsen* v. *Labor Board*, 120 F. 2d 96, 100 (C.C.A. 3).

3. For the reasons above stated we think the attacks upon the validity of the order must fail and we reach the question whether the petition for enforcement should be granted. It is plain that the respondent companies' refusal to bargain with the union certified by a valid order of the Board was a violation of Sections 8 (1) and (5) of the Act, 29 U.S.C.A. § 158 (1) (5). It is equally plain, and firmly established by authority, that an unfair labor practice cannot be excused because of economic pressure exerted against the employer by one of the unions engaged in a jurisdictional labor dispute. See *National Labor Relations Board* v. *Isthmian S.S. Co.*, 126 F. 2d 598, 599 (C.C.A. 2); *National Labor Relations Board* v. *John Engelhorn & Sons*, 134 F. 2d 553, 557-8 (C.C.A. 3); *South Atlantic S.S. Co.* v. *National Labor Relations Board*, 116 F. 2d 480 (C.C.A. 5), cert. den. 313 U. S. 582; *National Labor Relations Board* v. *Goodyear Tire & Rubber Co.*, 129 F. 2d 661, 664 (C.C.A. 5); *National Labor Relations Board* v. *Hudson Motor Car Co.*, 128 F. 2d 528 (C.C.A. 6); *McQuay-Morris Mfg. Co.* v. *National Labor Relations Board*, 116 F. 2d 748, 752 (C.C.A. 7), cert. den. 313 U. S. 565; *National Labor Relations Board* v. *Gluek Brewing Co.*, 144 F. 2d 847, 853 (C.C.A. 8); *Warehousemen's Union* v. *National Labor Relations Board*, 121 F. 2d 84 (App. D. C.), cert. den. 314 U. S. 674. Indeed, no contention to the contrary has been advanced by any of the parties in the case at bar. Consequently, the Board's petition should be granted.

4. The final question is whether the enforcement order should run against AFM as well as the respondent companies. That section 10 (h), 29 U.S.C.A. § 160 (h), gives the court authority to make such a restraining order is argued by ABC and NBC, and nothing has been asserted in opposition to it. We are not, however, convinced of the necessity of expressly restraining AFM. At the oral argument before the Board in the section 10 proceeding, Mr. Padway said:

> "We can't tell the company what to do but we hope it will do the logical and proper thing, namely, to refuse recognition until it gets to the Circuit Court of Appeals and let the Circuit Court of Appeals then in the Section 10 proceedings determine whether your finding in the Section 9 proceedings was correct.* * *"

That has occurred and we shall not assume that AFM will not respect our decision. If an attempt to prevent the companies from complying with our order should be made it would seem that the ordinary contempt procedures available against a person with knowledge of the decree although not named in it would enable the court to protect its order. Accordingly the enforcement order will issue in the customary form directed against the respondent companies only. * * *

National Broadcasting
J-930

CLARK, Circuit Judge (dissenting):

Due process, the Act, and the Board's own rules of procedure all seem to me to require the conclusion that AFM here cannot be deprived of the opportunity of presenting whatever evidence it has that NABET is company dominated, and hence that its motion to remand for that purpose should be granted. A hearing in representation proceedings is mandatory under S 9 (c), U.S.C.A. S 159 (c); cf. *Inland Empire Dist. Council* v. *Graham*, D. C. W. D. Wash., 53 F. Supp. 369, appeal dismissed 9 Cir., 142 F. 2d 455; and the Board's rules specifically so require, 29 U.S.C.A. Appendix, S S 203.6, 203.7, with a full inquiry into the question of representation, and with the right to any part "to call, examine and cross-examine witnesses," as provided in *ibid.* S 202.25. The only reason for a hearing is to hear relevant evidence; and the proffered evidence is clearly relevant. *N.L.R.B.* v. *Falk Corp.*, 308 U. S. 453, 461, 462; *Pittsburgh Plate Glass Co.* v. *N.L.R.B.*, 313 U. S. 146; *Madden* v. *Brotherhood and Union of Transit Employees*, 4 Cir, 147 F. 2d 439, 441, 442. The petitions for representation were made by NABET and the employers, and AFM was a party. It is well settled that company domination is to be presumed where disconnection with a former company union is not shown, *N.L.R.B.* v. *Standard Oil*, 2 Cir., 138 F. 2d 885; *Westinghouse Electric & Manufacturing Co.* v. *N.L.R.B.*, to Cir., 112 F. 2d 657, affirmed per curiam 312 U. S. 600; and here AFM's evidence points directly to such original domination. This is the first occasion AFM has had to contest the Board's asserted "consistent practice," since there is no direct review of representation proceedings. *Pittsburgh Plate Glass Co.* v. *N.L.R.B.*, supra; *American Federation of Labor* v. *N.L.R.B.*, 308 U. S. 401. And refusal to receive relevant evidence is appropriate ground for the grant of a motion to adduce additional evidence. *N.L.R.B.* v. *New York Merchandise Co.*, 2 Cir., 134 F. 2d 949.

In short, AFM has not been accorded the full hearing to which it is entitled, and is now seeking, at its first opportunity, and in the only way open to it, to procure that full hearing. Indeed, its right would seem to me so clear that I am rather surprised at the Board's vigorous objection and assertion of a contrary practice "to leave the aggrievd parties to their right to file charges under Section 10 of the Act"—a practice all the more doubtful, since it is not consistently followed, as the Board itself showed in its brief quoted in note 7 of the opinion. And in the *Madden case, supra*, 147 F. 2d 439, 441, involving the employees of the Baltimore Transit Company and the Baltimore Coach Company, the court, in reversing an injunction against the conduct of an election ordered by the Board after hearing and deciding the question of domination, D. C. Md., 58 F. Supp. 366, said quite properly: "It was clearly not the intention of Congress that the Board should place on the ballot in an election an employer dominated organization (*N.L.R.B.* v. *Falk Corporation*, 308 U. S. 453, 461, 462, 60 S Ct. 307, 84 L. Ed. 396); and it is inconceivable that it should have been intended that the summary procedure provided by section 9 (c) should be delayed while complaint proceedings under Section 10 were being conducted."

Indeed, the Board makes its own answer to its practice when it says in its brief: "But, plainly, the Board's refusal to issue a complaint upon that charge is not relevant to the issues in the instant proceedings nor does the evidence sought to be adduced have any bearing upon them. Moreover, both the Act and judicial authority make it clear that the Board may in its discretion refuse to issue a complaint and its action in that respect is not subject to judicial review." The action of a prosecutor in refusing

(Continued on next page)

to prosecute can hardly be made the subject of direct review; and the only relevancy of reference to the Section 10 procedure would seem to be a more complete demonstration that AFM is seeking here and now the only real relief open to it.

The Board's fear of great delay in representation proceedings is answered by the statutory requirement of a hearing which must be had, whatever the delay. And if it must be had anyhow, it will certainly take little additional time to determine whether or not a party can establish a *prima facie* case in support of its claims, and thus only force an extended hearing. Our holding here upupholding such a *practice* as discretionary with the Board, notwithstanding the *statute* and the Board's own published *rules*, seems to me seriously disturbing. I read the *Pittsburgh Plate Glass* case, *supra*, cited in support of this conclusion, as pointing rather to the contrary, even without reference to the vigorous opinion of the present Chief Justice for the dissenting Justices to the very point that relevant evidence was erroneously refused. For that case has no suggestion that relevant evidence may be refused in a Section 9 hearing because charges may be filed under Section 10; it holds only that the evidence there sought to be adduced, in view of the facts already known to the Board, would not have required a change in the result. The issue there was one of the effectiveness of a bargaining agent representing a plurality of the employer's plants as against the independence of separate units (an issue upon which the Board's views seem to have been changing towards the latter view, 51 Yale L. J. 155-162); and the majority held that the Board, having a full picture before it, could favor the broader bargaining unit because of its advantages, even if steps must be taken to stop the company domination. If, together with the decision below, 8 Cir., 113 F. 2d 698, has been taken by the court rendering the original decision as reinforcing the requirement that the Board must consider relevant evidence. *Donnelly Garment Co.* v. *N.L.R.B.*, 8 Cir., 123 F. 2d 215, 222, 223. Of course, had the Board here determined that NABET, even if company dominated, must nevertheless be the employees' representative, we would have been faced with a different problem of review.

In denying AFM's motion, the opinion relies on two further grounds, which are not pressed by the Board and are essentially inconsistent with the Board's position. The first is that counsel acquiesced in the Board's practice so far as present proceedings are concerned, intending only to attack it elsewhere. And the second is that AFM was guilty of inexcusable delay in filing charges under Section 10. As to the second, it must fall if we accept the Board's view (as I think we must) of the complete irrelevancy of the Section 10 issue here and the absence of any right of review of the Board's decision not to issue a complaint. But it is to be noted that AFM did file such charges, without result, in 1942, and that it again filed the same charges just before the hearing in January, 1945, on the real proceedings to enforce the results of the election, i.e., contemporaneously with the taking of steps by the Board for putting its decision into effect. This does not seem like inexcusable delay; it does prompt the question as to how many footless collateral proceedings are necessary that AFM preserve its right to a full hearing in the proceeding to which it is a direct party.

The first ground seems also answered by the quotation from the record in the opinion, viewed in the light of the background of the Board's practice and its own simple stark submission here, "that the *Board* committed no error in *refusing* to permit in the representation proceedings an inquiry into the legality of NABET." (Italics supplied.) Clearly counsel was bowing to the clear ruling of the Board, so that the hearing might proceed, but *expressly* reserving the right to establish "in any other proceeding that it is dominated." Not only is this quite completely another proceeding, but, as we have seen, it is the *only one* where the issue can really be raised judicially or reviewed judicially. In view of the background, the intent of counsel seems so clear that the result is thus made to turn upon his mischoice of appropriate words in the midst of trial, though no one was or could be misled thereby; and, quite obviously, no different result would have followed had he argued all day and with the most careful choice of precise English. This seems to me a result harsher than that now reached in federal courts of law where the exception has been abolished. F.R.C.P. 46. I suggest that these parties, like litigants in court, should not suffer important and damaging loss of rights because of hasty, though not misleading, mistakes of counsel during trial, and that tranquillity in labor relations will not be promoted by holding otherwise.

Not only has AFM not delayed these proceedings in the slightest, so far as the record shows, but they have attained an almost unknown speed for labor cases, since even the representation hearing occurred only last fall. While we certainly ought not to decry expedition when it does occur, yet it is proper to suggest that this is not the case where speed is likely to safeguard rights which the Act aims to protect. On the contrary, the few weeks needed at most to determine if AFM has a case will cause harm to no one, but will impress all the litigants as a real endeavor to secure a completely fair and final settlement of litigation which otherwise bids fair to leave substantial union interests dissatisfied not merely with the outcome, but with the means by which it has been achieved.

FREE RADIO AND PRESS HELPED MAKE ATOM BOMB

Development of the atom bomb is universally regarded as the best-kept secret of the war. In June, 1943, 18 months after we had entered the war, a request went out to broadcasters and editors from Censorship asking that radio and the press refrain from disseminating information about experiments involving atoms and a list of unusual equipment, elements and compounds thereof.

Effective testimony to the superb manner in which radio and the press kept faith with Censorship came with the recent lifting of restrictions. In rescinding the ban, Director of Censorship Byron Price commented as follows: "This is the biggest story of our time. To the everlasting credit of radio and the press it has been a well-kept secret."

Secretary of War Henry L. Stimson, in a release on the development of the new weapon, says: "Radio and the press of the nation, as in so many other instances, have complied wholeheartedly with the requests of the Office of Censorship that publicity on any phase of this subject be suppressed."

The Office of Censorship release follows:

"The Office of Censorship's special request on scientific experiments, originally issued on June 28, 1943, and repeated on May 15, 1945, is hereby rescinded in view of the President's announcement of the use of the atomic bomb against Japan. Editors and broadcasters are reminded, however, of the Production section of the Press and Radio Code which restricts information without appropriate authority on 'new or secret weapons . . . secret designs, formulas, processes or experiments connected with the war.'

"In the interest of the highest national security it is requested that editors and broadcasters continue to withhold information without appropriate authority concerning scientific processes, formulas, and mechanics of operation of the atomic bomb; location, procurement and consumption of uranium stocks; quality and quantity of production of these bombs; their physics, characteristics and future military employment; and information as to the relative importance of the various methods or plants, or of their relative functions or efficiencies.

"In case of doubt concerning any of the foregoing material you are urged to get in touch with the Office of Censorship."

BROADCASTERS TO ETO

The War Department has announced that the eleven selected representatives of the radio industry and three trade press representatives who will make a three-weeks tour of the European Theater of Operations were briefed yesterday (9), and likely will take off today via plane for London, the first scheduled stop on the itinerary.

The group will be headed by Justin Miller, president-

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elect of NAB. The tour will be made under War Department auspices with Col. Edward M. Kirby, Chief, Radio Branch, Army Public Relations, in immediate charge as escorting officer.

In addition to Miller, those making the trip are: J. Leonard Reinsch, managing director of the Cox Radio Stations and radio adviser to President Truman, who will go as the White House representative; Mark Woods, president of American Broadcasting Co.; William S. Hedges, vice-president of NBC, in charge of planning and development; Joseph H. Ream, senior vice-president of CBS; R. D. Swezey, vice-president and general manager of Mutual; John E. Fetzer, WKZO, Kalamazoo, assistant director of Censorship for radio; Clair R. McCollough, managing director, Mason-Dixon Group; Col. Harry S. Wilder, WSYR, Syracuse; Martin Campbell, WFAA, Dallas; and Morris Novik, manager of WNYC, New York, municipally owned non-commercial station and part owner of WKNY, Kingston, New York. News representatives scheduled for the trip are Sol Taishoff, editor and publisher of *Broadcasting;* Abel Green, editor of *Variety;* Jack Alicoate, publisher of *Film Daily* and *Radio Daily;* and Joseph Csida, general manager of *Billboard.*

The trip to Europe represents a return to familiar scenes for many of the broadcasters, veterans of World War I. The group will travel as fully accredited war correspondents, making the trip in uniform.

CLEAR CHANNEL HEARING OCT. 23

Federal Communications Commission has continued the Clear Channel Hearing to 10:30 a. m. October 23, instead of September 5, due to the fact that Commission members and others interested will be at Rio de Janeiro, Brazil, for the Third Inter-American Radio Conference which convenes September 3.

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"FREE RADIO" REFERENCE MATERIAL IN THIS WEEK'S BULLETIN ON JAYCEE RADIO WEEK

Accompanying this issue of NAB Reports is Special Twenty-Fifth Anniversary Bulletin No. 15. This Bulletin contains the NAB statement of policy with reference to the "Freedom of Speech" theme adopted for Jaycee Radio Week, August 26-September 1.

Relation of Freedom of Speech to the American system of broadcasting is the sole aim of the industry in this observance.

The Bulletin contains numerous references to source material on the subject of Free Radio and Freedom of Speech, with some selected statements in full.

Extra copies will be mailed to all state and local Jaycee presidents.

The attention of station managers and program departments is called to this Bulletin, as a source of program material for Jaycee Radio Week.

REVISED STANDARDS OF PRACTICE

(As released by NAB News Bureau)

Washington, D. C., Aug. 8: Recognition of the responsibility of station management is the keynote of revised Standards of Practice adopted by the Board of Directors of the National Association of Broadcasters in Washington, August 7. Described by NAB President J. Harold Ryan as "a strong safeguard of free radio in America," the foreword says, "determination of what shall be broadcast rests entirely with the station licensee and this responsibility may not be delegated." In these revised standards broadcasting is dedicated to freedom of expression, limited only as prescribed by law and by considerations of decency and good taste.

Shorter commercials are recommended for daytime programs. The recommended length of commercials for both nighttime and daytime programs is now identical. Effect of this provision, however, will not be immediate because of existing station and network advertising commitments.

The revised standards recommend that political broadcasts and those dealing with public questions be confined to straightforward statements appealing to intelligence and reason.

Acting upon the recommendation of the NAB Code Committee, headed by Lee B. Wailes, manager of Westinghouse Radio Stations, with headquarters in Philadelphia, the Board adopted these revised Standards of Practice substantially in the language submitted by the Code Committee on February 27 of this year. During the intervening months, the wording of several sub-sections has been worked out with the help of other NAB committees, including the Sales Managers Executive Committee, the Radio News Committee and Board Liaison members of the Code Committee. Code Committee members serving under Lee Wailes were: Richard H. Mason, WPTF, Raleigh; Jan Schimek, CBS, New York; Edgar L. Bill, WMBD, Peoria; William S. Hedges, NBC, New York; Eugene P. O'Fallon, KFEL, Denver; Herbert Hollister, KANS, Wichita; and William B. Quarton, WMT, Cedar Rapids.

J. Harold Ryan, who agreed upon request of the Board to continue as President of NAB until Justin Miller takes office October 1, expressed great satisfaction with the new Standards of Practice. "The twenty-fifth year of broadcasting is most appropriate for a renewed declaration of principles which assert the complete independence of station management in determining its own operation in the public interest," Ryan stated. "These Standards of Practice provide flexibility and enable the individual licensee to meet the varying social and economic problems growing out of our democratic processes, as they affect the area which his station serves."

The new Standards of Practice will be given wide circulation immediately.

Ryan's Statement to Industry

J. Harold Ryan makes the following separate statement to the industry:

"The Code of the National Association of Broadcasters was first adopted in 1939. While its language was mandatory, it was always construed by the Association as being advisory to station management, upon whom the obligation rests by law to make the selection of programs within the framework of public interest, convenience and necessity.

"In the winter of 1944 it became evident that the added experience and greater maturity of broadcasting invited and required certain changes in the Code. Starting with the Spring of 1944 the Code Committee has been at work on the revision of this document. Several meetings have been held and a great many of the leaders of the industry have given careful thought to the preparation of the revised Standards of Practice, including two other Committees of the National Association of Broadcasters, the Sales Managers Executive Committee and the Radio News Committee, and Board Liaison members of the Code Committee. The Chairman of the Code Committee has been Lee Wailes, Manager of Westinghouse Radio Stations, and the other members of the Committee were: Edgar L. Bill,

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WMBD, Peoria, Illinois; William S. Hedges, NBC, New York, New York; Herbert Hollister, KANS, Wichita, Kansas; Richard H. Mason, WPTF, Raleigh, North Carolina; Eugene P. O'Fallon, KFEL, Denver, Colorado; William B. Quarton, WMT, Cedar Rapids, Iowa; Jan Schimek, CBS, New York, New York. The language of the Standards of Practice that has just been approved by the Board was decided on substantially at the Chicago meeting of a special sub-committee of the Code Committee on January 23, 1945.

"In general, the accepted practice of the advisory nature of the Code has been expressed in the language, and complete emphasis has been placed upon the responsibility of individual management in the question of programming consistent always with management's obligation under public interest, convenience and necessity.

"Shorter commercials are recommended for daytime programs. The recommended length of commercials for both nighttime and daytime programs is now identical. Effect of this provision, however, will not be immediate because of existing station and network advertising commitments. The revised Standards recommend that political broadcasts and those dealing with public questions be confined to straightforward statements appealing to intelligence and reason.

"The Code Committee is one of the standing Committees of the National Association of Broadcasters and can at any time be convened. The Code is a living and growing document, capable of additions, changes or deletions as conditions and experience show the need for such alterations. It is intended as a guidebook to help management in its decisions to the end that discussion of all matters of public interest may be as free as possible under the American system of broadcasting consistent with the natural limitation of facilities."

The complete text of the Standards of Practice follows:

FOREWORD

Broadcasting is dedicated to freedom of expression, limited only as prescribed by law and by considerations of decency and good taste.

The National Association of Broadcasters formulates and publishes the following Standards of Practice as a guide to assist the licensee in operating in the public interest.

Determination of what shall be broadcast rests entirely with the station licensee and this responsibility may not be delegated.

Public Questions

Station licensees should provide time for the presentation of public questions. Such time should be allotted with due regard to the value and interest of the subject to the public.

Treatment of Political and Public Question Broadcasts

Broadcasts designed for the presentation of political, economic, social or philosophic questions or the candidacy of any person for public office or a measure to be voted upon should be presented by straightforward statement appealing to intelligence and reason.

News

News should be presented with fairness and accuracy and the station licensee should be satisfied that the arrangements made for obtaining news insure this result. News should not be selected for the purpose of furthering or hindering either side of any public question nor should it be colored by the opinions or desires of the station management, the editor, or others engaged in its preparation or the person actually delivering it over the air, or, in the case of sponsored news broadcasts, the advertiser.

The fundamental purpose of news dissemination in a democracy is to enable people to know what is happening and to understand the meaning of events so that they may form their own conclusions.

Children's Programs

Programs designed specifically for children reach impressionable minds and influence social attitudes, aptitudes and approaches and, therefore, they require the closest supervision of broadcasters in the selection and control of material, characterization and plot.

This does not mean that the vigor and vitality common to a child's imagination and love of adventure should be removed. It does mean that programs should be based upon sound social concepts and presented with a superior degree of craftsmanship; that these programs should reflect respect for parents, adult authority, law and order, clean living, high morals, fair play and honorable behavior. Such programs should not contain sequences involving horror or torture or use of the supernatural or superstitious or any other material which might reasonably be regarded as likely to over-stimulate the child listener, or be prejudicial to sound character development. No advertising appeal which would encourage activities of a dangerous social nature should be permitted.

To establish acceptable and improving standards for children's programs, the National Association of Broadcasters will continuously engage in studies and consultation with parent and child study groups. The results of these studies will be made available for application to all children's programs.

Education

While all radio programs possess some educative values, broadcasters should endeavor to assist specific educational efforts. In cooperation with educators and other appropriate groups, broadcasters should search for improving applications of radio as a medium of education.

Religion

Broadcasting, which reaches men of all creeds and races simultaneously, should not be used to convey attacks upon another's race or religion. Rather it should be the purpose of the religious broadcast to promote the spiritual harmony and understanding of mankind and to administer broadly to the varied religious needs of the community.

Commercial Programs and Length of Commercial Portion

Acceptance of programs and announcements should be limited to products and services offered by individuals and firms engaged in legitimate commerce; whose products, services, advertising, testimonials and other statements comply with pertinent legal requirements, fair trade practices and accepted standards of good taste.

Brief handling of commercial copy is recommended procedure at all times, with special consideration being given to the effect on the listener of the manner of presentation.

Member stations should hold the length of the commercial portion, including that devoted to contests and offers, to the following number of minutes and seconds:

Five minute programs	1:45
Five minute news programs	1:30
Ten minute programs	2:00
Fifteen minute programs	2:30
Twenty-five minute programs	2:45
Thirty minute programs	3:00
Sixty minute programs	6:00

Exceptions:

The above limitations do not apply to participation programs, announcement programs, "musical clocks," shoppers' guides and other local programs falling within these general classifications.

"Standards of Good Taste"

The following are deemed to be generally unacceptable under these Standards of Practice:

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1. Unfair attacks upon competitors, competing products, or upon other industries, professions or institutions.
2. Misleading statements of price or value or misleading comparisons of price or value.
3. Continuity which describes repellently any functions or symptomatic results of disturbances, or relief granted such disturbances through use of any product.
4. Cures and products claiming to cure.
5. Advertising statements or claims member stations know to be false, deceptive or grossly exaggerated.
6. Any remedy or other product the sale of which or the method of sale of which constitutes a violation of law.
7. Any spirituous or "hard" liquor.
8. Any fortune-telling, mind-reading, or character-reading, by handwriting, numerology, palm-reading, or astrology, or advertising related thereto.
9. Schools that offer questionable or untrue promises of employment as inducements for enrollment.
10. Matrimonial agencies.
11. Offers of "home work" except by firms of unquestioned responsibility.
12. Any "dopester," tip-sheet or race track publications.
13. All forms of speculative finance. Before member stations accept any financial advertising, it should be fully ascertained that such advertising and such advertised services comply with all pertinent federal, state, and local laws.

FCC RADIO OPERATOR SURVEY

In response to the continued need for additional radio operators and technicians expressed by government agencies and the communications industry, the Federal Communications Commission has continued the manpower survey launched in the summer of 1943. The list of such persons now being released as the sixth report encompasses holders of radiotelephone and radiotelegraph licenses as well as those holding both types of licenses.

List Number 6 is divided into three sections: holders of radiotelephone licenses (first- and second-class), holders of radiotelegraph licenses (first- and second-class), and holders of both radiotelephone and radiotelegraph licenses (first- and second-class).

The new list contains 307 names and addresses of licensees who have reported themselves available for employment according to replies received up to July 15, 1945, by the Federal Communications Commission in response to a postcard questionnaire. In addition to the names and addresses, the list also shows the present draft status, nature of present employment, and whether the licensee states his availability for full- or part-time employment. To facilitate use of the list, the names of the license holders are grouped according to state of residence and the states are grouped according to Census Regions.

The Commission does not certify as to the experience or availability of any person listed but merely sets forth the information as received.

The FCC lists are made part of the NAB Technicians Pool. Broadcasters requesting lists of available personnel from NAB are given names from both the NAB registrations and the FCC lists.

FM HEARING BULLETIN

Special Allocation Hearing Bulletin No. 17 will contain the complete transcript of the proceedings before the FCC on July 30, 31 and August 1. This hearing, identified by Docket Number 6768, was in connection with the "Promulgation of Rules and Regulations and Standards of Good Engineering Practice for FM Broadcasting Other Than Non-educational Services."

Copy of this special bulletin is now in the hands of the printer and will probably be mailed on or about August 22. It is suggested that broadcasters be on the lookout for this bulletin as it contains the views of engineering authorities and others prominent in the industry concerning the FM broadcast service.

CREUTZ NAMED RADIO AND RADAR ASSISTANT DIRECTOR

In a move to utliize experienced personnel to best advantage in coördinating related activities of the War Production Board's Radio and Radar Division Melvin E. Karns, Director of the Division, today announced certain administrative appointments.

John Creutz, of McLean, Va., has been appointed Assistant Director for Production succeeding Mr. Karns who became Director of the Division upon the resignation of Louis J. Chatten on August 1st. Mr. Creutz has been Chief of the Domestic and Foreign Branch since June 1944. Mr. Creutz has been in close association with all phases of the industry since he joined the Division in December 1942. Previously he served the industry as a radio engineer and consultant. He is a graduate of the University of Wisconsin and holds a degree in electrical engineering.

Henry B. Esterly, of Pottsville, Pa., former Assistant Chief of the Domestic and Foreign Branch since September 1944, succeeds Mr. Creutz as Branch Chief. He has had long experience in the distribution end of the radio industry previous to joining the Division in Sept. 1943.

SURVEY OF BEER ADVERTISING

A nation-wide survey of beer advertising acceptance by radio stations has just been completed for one of its clients by J. Walter Thompson Company. The information, which has been made available to the National Association of Broadcasters by the agency, reveals that out of the nation's total of 884 commercial radio stations, 88% accept beer advertising, 10% do not, and 2% have failed to express themselves either way.

Out of the nation's total of all commercial radio stations, non-affiliated and network affiliated, replies were tabulated as follows:

Do accept beer advertising..........	783	stations	88%
Do not accept beer advertising.......	88	"	10%
Failed to respond to questionnaire....	13	"	2%
Total radio stations...............	884		100%

The questionnaire was sent to all commercial radio stations in the country asking this question, "Do you accept advertising for beer?" It did not go to the 32 college and religious non-commercial stations which do not accept advertising of any kind.

MASON HEARS FROM GLOBAL SHOW

Richard H. Mason, manager, WPTF, Raleigh, Task Force Commander for the Raleigh "Let's Go to Town" program, is beginning to receive letters from overseas personnel who heard the Raleigh show on July 20.

Pfc. G. R. Johnson wrote for himself and another combatant, from Camberg, Germany:

"It was very good and I was glad to get to hear the home news. My home was in the Willow Springs and Raleigh section. I have a buddy here from Winston-Salem. We are in the 70th Inf. Div. and we hope to soon be back. The program was damn good and was short waved all over Europe. Tell Kingham Scott and Uncle Milt that the G.I.'s think they're swell. Send us more programs from Raleigh."

Sgt. Elizabeth G. Arnold, a native of Raleigh, and a "homesick North Carolinian," wrote:

"It has been almost thirteen months since I walked down Fayetteville Street but I sure walked down it the morning I listened to you. Gee you don't know how it made me feel to hear you mention the different stores and people. You made a comment on the ladies' legs and how they looked in rayon hose. The women over here don't wear any hose at all but I know that the women's legs at home are much better looking than the ones over here. Here's hoping I will hear another broadcast soon. I have been

(Continued on next page)

here at Bovingdon about 30 miles from London for about a year and I hope that I will be walking down Fayetteville Street soon."

WBAP IS COOPERATING

WBAP, Fort Worth, is cooperating in the "Music from Your Hometown" series for broadcast to overseas military personnel. Ed Lally, program director, is in charge according to General Manager Harold Hough. WBAP was inadvertently omitted from the list of cooperating stations published in last week's REPORTS.

OWEN TO AMERICAN

Clure H. Owen, Assistant Chief of the Broadcast Division of the Engineering Department, has resigned to accept a position as Allocations Engineer with the American Broadcasting Co., Inc.

Mr. Owen has been with the Commission and its predecessors since 1931. Mr. Owen has been active as chairman of Committee 2 of the Clear Channel Hearings which was assigned the determination of what constitutes objectionable interference insofar as interference between standard broadcast stations is concerned. He was chairman of committee 1 (standard broadcasting) of the allocations hearing. He has been in charge of the Hearing Section of the Broadcast Division since 1937. As representative of the Board of War Communications Mr. Owen had charge of two functions of the BWC-(1) the Vacuum Tube analysis conducted in 1942, and (2) the survey to determine existence and location of surplus radio equipment, following which a catalog was published in January 1943 which aided Government and industry in locating such equipment.

Mr. Owen has been associate member of the Institute of Radio Engineers since 1926.

Mr. Owen is married and has two children.

FCC FACSIMILE COMMITTEE

George P. Adair, Chief Engineer of the Federal Communications Commission today announced the appointment of the following committee to prepare recommendations for engineering standards for facsimile:

Curtis B. Plummer, chairman, Assistant to Chief, Non-Standard Broadcast Application Section, Broadcast Division, Engineering Department of FCC; Virgil R. Simpson, Assistant to Chief Engineer of FCC; Hart S. Cowperthwait, Radio Engineer, Non-Standard Broadcast Application Section, Broadcast Division, Engineering Department of FCC; William H. Bauer, Chief, Technical Section, Law Department of FCC; John V. L. Hogan, Faximile, Inc., New York, N. Y.; F. R. Brick, Jr., Finch Telecommunications, Inc., Passaic, N. J.; Stuart L. Bailey, of Jansky & Bailey, Consulting Radio Engineers, Washington, D. C.; T. A. M. Craven, Vice-President, Cowles Broadcasting Co., Washington, D. C.; and Charles J. Young, RCA Laboratories, Princeton, N. J.

The committee will submit its recommendations to an informal engineering conference to be called by Mr. Adair within the next month.

TEXAS U RADIO DEGREE

Austin, Tex.—The University of Texas announces that it will offer a degree in professional training for radio, thus becoming the first of the southwestern universities to provide a full course in the subject. The course will open with the advent of the fall term.

Radio courses will include broadcasting, radio drama, production, announcing, program planning and many other phases.

The degree will be conferred by the College of Fine Arts, and the courses will be supervised by the University's radio committee.

KTUC FREE BIKE-CHECK FOR KIDS

Tucson, Ariz.—Radio station KTUC is following up on a recent overwhelmingly successful auto brake check campaign with a free bicycle check for children.

HIGH HONOR PAID KMBC SERVICE FARMS

Kansas City, Mo.—In recognition of outstanding accomplishments by "KMBC Service Farms" in the first two years of operation, the National Hampshire Hog Type Conference came west of the Mississippi river for the first time in its history. The conference was held Aug. 7th and 8th on "KMBC Service Farms," 20 miles southwest of Kansas City, just over the Missouri line in Kansas.

KMBC's farm service includes the direct operation of livestock farms for developmental purposes. The KMBC developmental farms of 1,000 acres have built up outstanding purebred Angus cattle herds, Hampshire and Berkshire hogs. Hundreds of these purebred offspring have been distributed to many farms in the 100 miles primary radius of KMBC.

In addition to the obvious many ways that the farm project has served farmers, including three-times-daily remote broadcasts direct from the farms, an eye has been kept to the future with the development of new local 4-H clubs and the fostering of improved farming methods actually put to test on "KMBC Service Farms."

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, August 13.

Federal Communications Commission Action

APPLICATIONS GRANTED

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine.—Granted modification of license to change from employing directional antenna day and night to employing directional antenna night only. (B1-ML-1215)

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted modification of license to operate with nighttime directional antenna pattern from 15 minutes before local sunset to 15 minutes after local sunrise during those months in which the average hour of local sunset and/or local sunrise occurs on the quarter-hour or three-quarter hour. (B3-ML-1216)

Fred O. Grimwood, Bloomington, Ind.—Granted petition for leave to amend application for new station to show changes made in equipment installed, etc.

Martinsburg Broadcasting Co., Martinsburg, W. Va.—Granted motion for continuance of hearing scheduled for August 23,

(Continued on next page)

and continued consolidated hearing on applicant's application and that of Berkeley Broadcasting Company, to September 13, 1945.

WCNC—Albemarle Broadcasting Co., Elizabeth City, N. C.—Granted motion to vacate hearing now scheduled for August 22, on its application for modification of license to move transmitter and studio, and dismissed the application without prejudice.

O. H. Richardson, et al, d/b as The Voice of Marion, Marion, Ind.—Granted motion for continuance of hearing now scheduled for August 29 on application for construction permit, and continued same to September 12, 1945.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted construction permit to install a composite 250-watt transmitter at present site of main transmitter, to be operated as an auxiliary transmitter with power of 250 watts.

KPKW—Western Radio Corp., Pasco, Wash.—Granted modification of construction permit which authorized a new station, for extension of completion date from 8-7-45 to 9-6-45.

KRMD—T. B. Lanford, et al, d/b as Radio Station KRMD, Shreveport, La.—Granted authority to make changes in automatic frequency control equipment.

WOSH—Myles H. Johns, et al, d/b as Oshkosh Broadcasting Co., Oshkosh, Wisc.—Granted authority to determine operating power by direct measurement of antenna power.

WBNS—WBNS, Inc., Columbus, Ohio.—Granted modification of license to change corporate name to RADIOHIO INCORPORATED.

WBNS, Inc., Area of Columbus, Ohio.—Granted modification of licenses for relay stations WBNT, WGBD, WJLF, WMJA, WMJB, WMJC, WMJH, WELE, WMJD, WRBC, to change corporate name from WBNS, Inc., to RADIOHIO INCORPORATED.

W8XUM—WBNS, Inc., Columbus, Ohio.—Granted modification of facsimile station license to change corporate name to RADIOHIO INCORPORATED.

WELD—WBNS, Inc., Columbus, Ohio.—Granted modification of FM station license to change corporate name to RADIOHIO INCORPORATED.

KXOA—Lincoln Deller, Sacramento, Calif.—Granted license to cover construction permit authorizing a new station to operate on **1490 kc.**, 250 watts; also granted authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Sec. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. (Action taken 8-1)

LICENSE RENEWALS

The following were granted renewal of relay station licenses for the regular period:

WATA, Ashland Broadcasting Co.; KFBL, KFBM, Frontier Broadcasting Co.; WABG, Memphis Publishing Co.; WAIJ and WAIY, WIBX, Inc.

Granted renewal of following station licenses to not later than June 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets Nos. 6651 and 6768: WABC-FM, WBBM-FM, Columbia Broadcasting System, Inc.; WGFM, General Electric Co.; WDLM, The Moody Bible Institute of Chicago; WPEN-FM, Wm. Penn Broadcasting Co.; WCAU-FM, WCAU Broadcasting Co.; KDKA-FM, WBZA-FM, WBZ-FM, Westinghouse Radio Stations, Inc

Granted renewal of following station licenses for the period ending February 1, 1947:

WMFF, Plattsburg Broadcasting Corp., Plattsburg, N. Y.; KGFW, Central Nebraska Broadcasting Corp., Kearney, Nebr.; WWPG, Palm Beach Broadcasting Corp., Palm Beach, Fla.; KOME, Oil Capital Sales Corp., Tulsa, Okla.; KRMD, Radio Station KRMD, Shreveport, La.; WEBR, WEBR, Inc., Buffalo, N. Y.; WIZE, Radio Voice of Springfield, Inc., Springfield, Ohio.

Granted renewal of following station licenses for the period ending May 1, 1948:

KFAB, KFAB Broadcasting Co., Lincoln, Nebr.; KFVD, Standard Broadcasting Co., Los Angeles, Calif.; KMOX, Columbia Broadcasting System, Inc., St. Louis, Mo.

WBIR—Radio Station WBIR, Inc., Knoxville, Tenn.—Granted renewal of license for period ending August 1, 1946. (B3-R-1113)

MISCELLANEOUS

The following applications for FM stations were placed in the pending files in accordance with policy adopted February 23, 1943:

Southern Minn. Supply Co., Mankato, Minn.; Johnston Broadcasting Co., Birmingham, Ala.; Textile Broadcasting Co., Greenville, S. C.; West Va. Broadcasting Corp., Wheeling, W. Va.

Raytheon Mfg. Co., Waltham, Mass.—Retained in the pending files amended application for FM station.

KOWH—World Publishing Company, Omaha, Neb.—Denied request for special service authorization to operate on **660 kc.** with 100 watts night, 500 watts day, unlimited time, for the period ending November 1, 1946. (B4-SSA-130)

APPLICATIONS FILED AT FCC

810 Kilocycles

KGO—American Broadcasting Co., Inc., San Francisco, Calif.—Construction permit to increase power from 7½ KW. to 50 KW., install new transmitter and directional antenna for day and night use, and change transmitter location from Oakland, Calif., to Dumbarton, Calif.

KGO—American Broadcasting Co., Inc., San Francisco, Calif.—Construction permit to increase power from 7½ KW. to 50 KW., install new transmitter and directional antenna for day and night use, and change transmitter location from Oakland, Calif., to Dumbarton, Calif.

1240 Kilocycles

NEW—H. L. Corley, tr/as Corley Radio and Sound Service, Trinidad, Colo. (P. O. 108 N. Maple St.)—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, with power of 100 watts, and daytime hours of operation.

1490 Kilocycles

NEW—Joseph P. Ernst, Worland, Wyo. (P. O., P. O. Box 92)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, with power of 250 watts, and unlimited hours of operation.

NEW—S. Marvin Griffin, Bainbridge, Ga. (P.O., P. O. Box 367)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, with power of 250 watts, and unlimited hours of operation.

FM APPLICATIONS

NEW—Pontiac Broadcasting Co., Pontiac, Mich. (P. O. 606 Riker Bldg., 35 W. Huron St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **48.5 mg.**, with coverage of 11,100 square miles.

NEW—Muskogee Broadcasting Co., Muskogee, Okla. (P. O. 800 Manhattan Bldg.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **105 mg.**, with coverage of 7,500 square miles.

NEW—Sunshine Broadcasting Co., San Antonio, Tex. (P. O. Box 1161, Gunter Hotel)—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.1 mg.**, with coverage of 16,534 square miles.

NEW—Peninsula Newspapers, Inc., Palo Alto, Calif. (P. O. 248 Hamilton Ave.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **48.9 mg.**, with coverage of 624 square miles.

NEW—Plains Radio Broadcasting Co., Amarillo, Tex. (P. O. 8th & Harrison Sts.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.5 mg.**, with coverage of 12,781 square miles.

NEW—WJHL, Incorporated, Johnson City, Tenn. (P. O. 412 S. Roan St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on a fre-

(Continued on next page)

quency located within the channel selected by the FCC, with coverage of 8,000 square miles.

NEW—KOMA, Incorporated, Oklahoma City, Okla. (P. O. Biltmore Hotel)—Construction permit for a new high frequency (FM) broadcast station to be operated on **46.5 mg.**, with coverage of 21,675 square miles.

NEW—Radio Projects, Inc., West New Brighton, N. Y. (P. O. Room 2201, 233 Broadway, New York 7, N. Y.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.7 mg.**, with coverage of 2,250 square miles.

NEW—Radio Projects, Inc., Jamaica, L. I., N. Y. (P. O. Room 2201, 233 Broadway, New York 7, N. Y.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.3 mg.**, with coverage of 1,508 square miles.

NEW—Marshall S. Neal, Paul Buhlig, E. T. Foley, and Edwin Earl, d/b as Southern California Broadcasting Co., Pasadena, Calif. (P. O. 425 E. Green St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.9 mg.**, with coverage of 17,540 square miles.

NEW—Queen City Broadcasting Co., Inc., Boise, Idaho. (P. O., Cobb Bldg., Fourth & University Sts.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **48.1 mg.**, with coverage of 2,220 square miles.

NEW—Radio Projects, Inc., West New Brighton, N. Y. (P. O., Room 2201, 233 Broadway, New York 7, N. Y.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.7 mg.**, with coverage of 2,250 square miles

NEW—Radio Projects, Inc., Jamaica, L. I., N. Y. (P. O., Room 2201, 233 Broadway, New York 7, N. Y.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.3 mg.**, with coverage of 1,508 square miles.

TELEVISION APPLICATION

NEW—Keystone Broadcasting Corp., Harrisburg, Pa. (P. O., 31 N. Second St.)—Construction permit for a new commercial television broadcast station to be operated on Channel #2, **60-66 mg.**, with ESR of 1110.

MISCELLANEOUS APPLICATIONS

W3XMB—Maryland Broadcasting Co., Baltimore, Md.—License to cover construction permit (B1-PEX-46, as modified) which authorized a new developmental broadcast station.

W2XJC—Atlantic Broadcasting Co., Inc., Jersey City, N. J.—Modification of construction permit (B1-PEX-55, as modified, which authorized a new developmental broadcast station) for approval of transmitter site at 115 Central Park West, New York, N. Y.

NEW—Mutual Broadcasting System, Inc., Chicago, Ill.—Extension of authority to transmit programs to Mexican Stations known as "Radio Mil's Network."

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

Henry Modell & Co., and Modell's, with principal office and place of business at 280 Broadway and retail establishments at 198 Broadway, 204 Broadway, and 243 West 42nd Street, New York, selling and distributing substantial quantities of so-called Army and Navy equipment in connection with their sale of general merchandise such as clothing, sheets and blankets, are charged in a complaint with misrepresentaion. (5363)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Bell Umbrella Co. A stipulation to cease and desist from the use of unfair and deceptive practices in connection with the sale of umbrellas has been entered by Edward Wegbreit and Leo Wegbreit, trading as Bell Umbrella Manufacturing Co., 39 West 32nd Street, New York. (4095)

Morris Schwartz Fur Corp., 330 Seventh Avenue, and Biltwell Furs, Inc., 210 West 30th Street, both of New York, and Green's Furs, Inc., 17 North Pennsylvania Street, Indianapolis, stipulated that they will discontinue using the word "seal," either alone or with other words, to designate or describe furs or fur products made from sea lion peltries. (4096)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Bennettsville Mattress Factory, Bennettsville, S. C., manufacturing mattresses and other bedding, was ordered to cease representing that bedding composed in whole or in part of "sweeps" is composed of new material. (5024)

Frederick A. Clark, trading as Boncquet Laboratories, 1416 South Central Avenue, Glendale, California, selling and distributing a preparation designated "Boncquet Blood Building Tablets," "Boncquet Hemo-Tabs" or "Boncquet Tablets," has been ordered to cease and desist from misrepresentation of the preparation. (3660)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 33, August 17, 1945

V-DAY

NAB Headquarters staff joined with the rest of the nation in observing V Day. Hence this week's issue of the NAB REPORTS are very abbreviated. There accompany this REPORTS two Special Bulletins.

RYAN ISSUES STATEMENT

J. Harold Ryan, NAB President, issued the following V-Day statement:

"This is V-Day absolute, the day that marks the end of the war on all fronts. Defeat came with stunning swiftness to our enemies on both sides of the world. When our striking power reached its climax, the opposition had no hope of survival. Let us remember, there is more to this than superiority of arms. There is also superiority of a form of government and of an economy which produced the arms and provided the inspiration for their most effective use.

We fought with and for the type of enterprise that distinguishes the government of free people. While many things have grown old with us during the war, certainly the love of freedom emerges newer and fresher than ever. Freedom has been won again but it is such a vital consideration that we must regard it almost as having been won for the first time. We must make it secure in the peace with language applicable to the world of today.

This has been a mechanized war—a battlefield for science. Instruments of warfare have been developed which give great promise of world improvement in the peaceful days to come. The question is now asked, has the conscience of mankind improved also? Can we devote scientific advancement solely to the progress of a peaceful world? This is a question to which broadcasters can supply an answer. Now in its 25th year, nearly four of which have been war years, the American system of broadcasting has demonstrated itself as a medium of public service without parallel in the history of the world. The science of broadcasting is one in which technical improvements possess immediate potentiality for public good. These improvements are in the field of communication, wider dissemination of ideas, the creation of better understanding among peoples through the medium of sight and sound. Radio-television communication now transmits practically everything that may be seen or heard. Peacetime industry operation soon will bring this improved public service within reach of countless millions.

The art of communication will have an important bearing on the conscience of the new world. It must, however, be at all times a medium of free expression among free people, a medium for the development of good conscience by men of goodwill.

The broadcasting stations and networks of America furnished fighting men and rendered service at home and abroad in every field where civilian and military communications were needed to speed vic-

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NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

RYAN ISSUES STATEMENT

(Continued from page 363)

tory. In the name of our service to the cause of Liberty we now dedicate ourselves to its perpetuation in the interest of world harmony; the solution of our internal problems and the maintenance and furtherance of our domestic economy.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, August 20. They are subject to change.

Monday, August 20

WINS—Hearst Radio, Inc., Assignor, New York, New York, and The Crosley Corporation, Assignee, Cincinnati, Ohio.—Voluntary assignment of license and construction permit.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license, **590 kc.**, 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license, **1510 kc.**, 10 KW, unlimited, DA-night.

Friday, August 24

KJR—Fisher's Blend Station, Inc., Assignor, Birt W. Fisher, Assignee, Seattle, Wash.—Voluntary assignment of license of station KJR and relay station KEGR, **950 kc.**, 5 KW (main), DA-night, 1 KW (aux.), unlimited.

Federal Communications Commission Action

APPLICATION GRANTED

KXA—American Radio Telephone Co., Seattle, Wash.—Granted request for additional time to November 1, 1945, within which to make necessary application for operation at site which meets standards.

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending August 1, 1947:

KVRS, Rock Springs, Wyo.; KFVS, Cape Girardeau, Mo.; WCBM, Baltimore, Md.; WKMO, Kokomo, Ind.; WEST, Easton, Pa.; WGBR, Goldsboro, N. C.; WSAU, Wausau, Wis.; WORD, Spartanburg, S. C.

WDAK—Valley Broadcasting Co., Columbus, Ga.—Granted renewal of license for the period ending February 1, 1947.

WINN—Kentucky Broadcasting Corp., Inc., Louisville, Ky.—Granted renewal of license for the period ending August 1, 1946.

The Commission authorized immediate issuance of construction permits covering applications heretofore granted conditionally, to the following applicants:

KCMJ, Palm Springs, Calif.; KGAK, Gallup, N. Mex.; WCMA, Corinth, Miss.; WDAD, Indiana, Pa.; WING, Dayton, Ohio; WJNC, Jacksonville, N. C.; WMAJ, State College, Pa.; WPIK, Alexandria, Va.; WSPA, Spartanburg, S. C.; and WSTN, Staunton, Va.

APPLICATIONS FILED AT FCC

590 Kilocycles

NEW—San Bernardino Broadcasting Co., Inc., San Bernardino, Calif. (P. O. % H. M. Bingham, 921 Tower Bldg., Washington 5, D. C.).—Construction permit for a new standard broadcast station to be operated on **590 kc.**, with power of 1 KW, unlimited hours of operation, employing directional antenna day and night.

600 Kilocycles

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, N. D.—Construction permit to increase power from 250 watts day and 100 watts night to 5 KW day and night, install new transmitter and directional antenna for day and night use, and move transmitter and studio.

630 Kilocycles

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio.—Construction permit to change frequency from **1230** to **630 kc.**, and power from 250 watts day and night to 250 watts day and 100 watts night.

1190 Kilocycles

WLIB—WLIB, Inc., Brooklyn, N. Y.—Authority to determine operating power by direct measurement of antenna power.

1210 Kilocycles

WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Construction permit to make changes in transmitting equipment.

1240 Kilocycles

KIUL—Frank D. Conrad, tr/as Radio Station KIUL, Garden City, Kans.—Construction permit to install new vertical antenna. Amended to make changes in ground system.

WBML—Middle Georgia Broadcasting Co., Macon, Ga.—Acquisition of control of licensee corporation by E. D. Black and E. G. McKenzie through sale of 50 shares common stock (25%) by Mrs. Arthur Christie to the licensee corporation to be held as treasury stock.

1260 Kilocycles

KYA—Palo Alto Radio Station, Inc., San Francisco, Calif.—Transfer of control of licensee corporation from Harry B. Rey-

(Continued on next page)

nolds, O. H. Blackman, A. H. Meyer, Edwin J. Thomas, Leon J. Sloss, Jr., James Ladd Delkin, Robert A. Powers, Frederick Emmons Terman, Geo. T. Cameron, Eliot B. Mears, Bartley C. Crum, Marie DeForest Emery, Jean B. Blackwelder, Geo. E. Gamble, John M. Kaar, Joseph L. Glikbarg, James W. McBain, Fred Hage, Blake C. Wilbur, Ralph D. Howe, Julia Fox Brooke, Harvey M. Slater, Mary K. Brown, and Edward H. Heller to Dorothy S. Thackrey (8720 shares common stock—83.9%).

1280 Kilocycles

KFOX—Nichols and Warinner, Inc., Long Beach, Calif.—Construction permit to install a new transmitter.

1340 Kilocycles

WFEB—Alabama Broadcasting Co., Inc., Sylacuga, Ala.—Construction permit to move transmitter.

1370 Kilocycles

WPAB—Portorican American Broadcasting Co., Inc., Ponce, P. R. —Acquisition of control of licensee corporation by Juan Alberto Wirshing, Arturo Gallardo, Mrs. Porrata Doria, Carlos Clavell and Rafael Lopez Zapata.

1390 Kilocycles

KSLM—Oregon Radio, Inc., Salem, Ore.—Construction permit to install a new transmitter.

1400 Kilocycles

NEW—Vincent S. Barker and Gladys J. Barker, a partnership, d/b as Freeport Broadcasting Co., Freeport, Ill. (P. O. 9 Prospect St., Great Neck, L. I., N. Y.).—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, with power of 250 watts, and unlimited hours of operation.

NEW—Indian River Broadcasting Co., Fort Pierce, Fla. (P. O. 204 S. 2nd St.).—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, with power of 250 watts, and unlimited hours of operation.

1420 Kilocycles

WFCI—Pawtucket Broadcasting Co., Pawtucket, R. I.—Construction permit to increase power from 1 KW to 5 KW, employing directional antenna day and night, and install new transmitter.

1450 Kilocycles

NEW—Boulder City Broadcasting Co., Boulder City, Nev. (P. O. 529 Nevada Highway).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unlimited hours of operation.

WHMA—Harry M. Ayers, Anniston, Ala.—Authority to determine operating power by direct measurement of antenna power.

NEW—Albert E. Buck and Merle H. Tucker, a parentrship, d/b as Rio Grande Broadcasting Co., Aubuquerque, N. Mex.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unlimited hours of operation. Amended: to change name of applicant to Rio Grande Broadcasting Company, Inc., and change type of transmitter.

NEW—Wendell Mayes, C. C. Woodson and J. S. McBeath, d/b as Odessa Broadcasting Co., Odessa, Tex. (P. O. % Wendell Mayes, P. O. Box 513, Brownwood, Tex.).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unimited hours of operation.

WMAJ—Centre Broadcasters, Inc., State College, Pa.—Modification of construction permit (B2-P-3730, which authorized a new standard broadcast station) for approval of antenna and approval of transmitter and studio locations.

1490 Kilocycles

NEW—Evan Evans, James F. Koch, P. J. McCall, Lou Poller and James J. Curran, d/b as Pottsville Radio Co., Pottsville, Pa.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, with power of 250 watts, and unlimited hours of operation. Amended: to change requested power from 250 watts to 100 watts.

KVWC—Northwestern Broadcasting Co., Vernon, Texas.—Construction permit to install new vertical antenna with FM antenna mounted on top.

NEW—Fred O. Grimwood, Bloomington, Ind.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, with power of 100 watts, and unlimited hours of operation. Amended: to make changes in proposed antenna and ground system.

NEW—Marietta Broadcasting Co., Marietta, Ohio. (P. O. % E. E. Erb, St. Clair Block).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, with power of 250 watts, and unlimited hours of operation.

FM APPLICATIONS

NEW—Saginaw Broadcasting Co., Saginaw, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.5 mg.**, with coverage of approximately 2,100 square miles. Amended: to change frequency from **45.5 mg.** to **92-108 mg.**, and coverage from approximately 2,100 to 8,610 square miles, and specify type of transmitter, transmitter site, and antenna system.

NEW—The Gable Broadcasting Co., Altoona, Pa. (P. O. 1320-32 11th Ave.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be determined by FCC Chief Engineer, with coverage of 21,375 square miles.

NEW—Tulsa Broadcasting Co., Tulsa, Okla. (P. O. National Bank of Tulsa Bldg.)—Construction permit for a new high frequency (FM) broadcast station to be operated on plus or minus **46 mg.**, with coverage of 17,119 square miles.

NEW—The Copley Press, Inc. (Elgin Courier-News Division), Elgin, Ill. (P. O. 164-168 DuPage Sts.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **48.7 mg.**, with coverage of 3,400 square miles.

NEW—The Copley Press, Inc. (Aurora Beacon-News Division), Aurora, Ill. (P. O. 4-6 Main St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **47.9 mg.**, with coverage of 3,400 square miles.

NEW—The Copley Press, Inc. (Joliet Herald-News Division), Joliet, Ill. (P. O. 78 N. Scott St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **48.3 mg.**, with coverage of 3,400 square miles.

NEW—Associated Broadcasters, Inc., Indianapolis, Ind.—Modification of construction permit (B4-PH-122, as modified, which authorized a new high frequency (FM) broadcast station) for extension of completion date from 9-1-45 to 11-1-45.

NEW—James A. Noe, Shreveport, La. (P. O. Bernhardt Bldg., Monroe, La.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **46.5 mg.**, with coverage of 7,150 square miles.

NEW—Frontier Broadcasting Co., Cheyenne, Wyo. (P. O. 16th & Central Sts.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **48.9 mg.**, with coverage of 8,170 square miles.

NEW—O. L. Taylor, Oklahoma City, Okla. (P. O. 1800 W. Main St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.3 mg.**, with coverage of 16,042 square miles.

NEW—Providence Bible Institute, Providence, R. I. (P. O. 100 State St.)—Construction permit for a new non-commercial educational broadcast station to be operated on frequency between **91** and **92 mg.**, with power of 1 KW, and special emission for FM.

TELEVISION APPLICATIONS

NEW—Thomas Patrick, Inc., St. Louis, Mo. (P. O. 4965 Lindell

(Continued on next page)

Blvd.)—Construction permit for a new commercial television broadcast station to be operated on Channel No. 1 **(44-50 mg.)**, with ESR of 1535.

NEW—Raytheon Manufacturing Co., Chicago, Ill. (P. O. Foundry Ave., Waltham, Mass.)—Construction permit for a new experimental television broadcast station to be operated on **480-920 mg.**, with power of 5 KW peak, and FM emission.

W2XJT—William B. Still, tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Modification of construction permit (B1-PVB-100, as modified, which authorized a new experimental television broadcast station) for extension of completion date from 8-31-45 to 10-15-45.

MISCELLANEOUS APPLICATIONS

NEW—The Hallicrafters Co., Chicago, Ill. (P. O. 2611 Indiana Ave.)—Construction permit for a new developmental broadcast station to be operated on **100 mg.**, with power of 250 watts, and emission of special for FM.

W9XEV—Evansville on the Air, Inc., Glenwood, Ind.—Modification of construction permit (B4-PEX-52, which authorized a new developmental broadcast station) for extension of completion date from 8-19-45 to 11-19-45.

NEW—Burns Avenue Baptist Church, Detroit, Mich.—Extension of authority to transmit programs to Station CKLW, Windsor, Ontario, Canada.

W4XCT—Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, d/b as WAPO Broadcasting Service, near Chattanooga, Ga.—License to cover construction permit (B3-PEX-57) which authorized a new development broadcast station.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why cease and desist orders should not be issued against it.

Modern Waterproofing Paint Co.—A complaint alleging misrepresentation of the properties of a paint product designated "Aquella," advertised as an effective waterproofing agent, has been issued against Ira A. Campbell, Leandro W. Tomarkin, Wanda Tomarkin, Zella Fay Campbell and Zella Clarke, trading as Modern Waterproofing Paint Co., 1270 Broadway, New York. (5364)

The Commission issued no stipulations or cease and desist orders last week.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 34, August 24, 1945

VICTORY LOAN ANNOUNCED

This nation's Victory Loan Drive begins October 29 and continues through December 8. The goal is $11,000,000.-000 in sales of all classes of bonds and stamps. Official announcement was made by Secretary of the Treasury Vinson on Thursday (23).

Mr. Vinson's announcement followed closely on the heels of the meeting of State Chairmen in Washington on August 18 and 19, at the conclusion of which quota and time recommendations were submitted to the Secretary.

President Ryan Pledges Support

During the course of the two-day session of the State Chairmen, they received the pledge of support of the broadcast industry to the Victory Loan. It was transmitted by Harold Ryan, NAB President, and reads as follows:

> "The ability of the American people to cooperate has stood the test of war and has contributed much to the winning of the peace. It remains to be seen if the same full measure of cooperation will be given to preserve and maintain that peace. The crucible in which that test will be made is the forthcoming Victory Loan Campaign.
>
> "Proud of the contributions made by the radio broadcasting industry in the seven War Loan Campaigns, we realize the weight of a greater responsibility in supporting the Victory Loan.
>
> "On behalf of the industry I pledge our fullest effort and dedicate our facilities to assist you in making it a ringing demonstration of America's ability to cooperate in peace as well as in war."

Station Suggestions Given Treasury

The material which the Treasury Department will supply stations for use during the forthcoming Victory Loan will reflect the constructive suggestions of industry executives. This has been achieved through the cooperation of four hundred three (403) individual stations that returned NAB's questionnaire asking for improvement suggestions. These suggestions were received by Thomas H. Lane, director, Advertising, Press and Radio, War Finance Division; Jack M. Delahanty. assistant director; and David Levy, Lt. (jg), USNR, chief, Radio Section.

Treasury Will Provide Material

The transcribed and live announcement plans, as currently approved by the War Finance Division and OWI for the Victory Loan, are carried in full so that stations may know what is to be available. No additional ET Victory Loan material will be supplied by OWI. In accordance with Treasury's practice, it will still be necessary for stations to request transcribed material. Treasury expects to solicit station orders in the near future. All Treasury material may be carried sponsored or sustaining.

Transcriptions to Be Available

I. ***Treasury Salutes***—18 quarter-hour shows

These will follow a revised format already put into effect. All Victory Loan recordings will have reference to one of the following themes: rehabilitation, care of the wounded, interpretation of the G.I. Bill of Rights, securing jobs, and progress in employment.

A. While all Treasury Salutes will be sent to all stations desiring them, stations in 626 selected farm counties are to receive during the Victory Loan:

(1) A special record containing eighteen 30-second announcements. These can be used instead of of the announcements which all Salutes will carry. These recorded announcements may be used by stations immediately after the dramatic portion of the Salute. They will be geared to the copy theme pertinent to the farmer and will be labeled as special announcements to be used as desired in place of announcements on Treasury Salutes.

(2) In addition, a packet of live announcements will be sent which may be read by the county agent or other appropriate farm leader immediately following the dramatic portion of the Treasury Salute.

B. With this plan Treasury will provide farm stations with the option of using either special recorded announcements or live announcements to replace the recorded Treasury announcements. An additional feature is that these 36 announcements will provide an additional backlog of material for farm stations, since these announcements bear no immediate relationship to the Treasury Salutes as do the regular announcements.

II. ***Music for Millions***—18 quarter-hour shows

There will be modeled after the 7th War Loan series with some changes in format. Songs will all be brand new bond songs, and the best song will be selected as the official U. S. Savings Bond song for use after Victory Loan. Names of composers of these new songs will not appear on the recordings. When desired, the recorded and/or live announcements for farm stations may be substituted for the regular recorded bond plug.

III. ***Sing for Victory***—18 four-minute spots

This series will be comparable to "Sing for the Seventh." However, Treasury will not make a special record but will incorporate "Sing for Victory" within the "Music for Millions" series. This 4-minute "Sing for Victory" portion will properly be cued by a drum roll and fanfare. This portion will carry the voice of a singing star, a new bond song, and a bond announcement. In addition, the same special announcements prepared for farm area stations may be used for this series.

(Continued on next page)

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf. *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis. *Coordinator of Listener Activity;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

IV. ***Victory Songs***—Now being shipped

"Ten Years from Now" by Joan Whitney and Alex Kramer and "I Don't Want to Change the Subject" by Ray Henderson and Lew Brown, originally used in the 7th, have been recorded with new lyrics and should reach stations by the end of August.

V. ***Hedda Hopper's Diary***—18 four-minute records

Hedda Hopper (or other comparable Hollywood figure) will interview a Hollywood star who has been overseas or who has made a tour of the so-called "Purple Heart Circuit"—the hospitals of America. Series will stress attention given in hospitals overseas and in the United States. There will be no Victory Bond announcement as such because the series itself will dramatize the need for Victory Bonds.

VI. ***Sports Record***—Both sides of 16" platter

An outstanding group of sports leaders will be recorded in brief interviews. Attempts will be made to select those who have been overseas or who have actually been in the service or who have entertained at hospitals.

VII. ***Special Record***—1-minute spots

This will contain 1-minute spots featuring farm, labor, industrial, and financial leaders.

VIII. ***Transcribed Kickoff***—One 15-minute show

This will be Treasury Salute No. 261 and will be counted as one program of the Treasury Salute series. It will be a good Victory Loan kickoff program.

Live Announcements

Treasury will supply nine packets of radio announcements, as follows:

1. **Of Special Interest to Farmers**—25 topics of varying length.
2. **For the Women**—25 messages of 35 words and 25 messages of 50 words each.
3. **From America's Celebrities**—50 messages of 100 words each.
4. **The Armed Forces**—25 messages of 35 words each and 25 messages of 100 words each.
5. **For Rural Listeners**—25 messages of 25 words each and 25 messages of 100 words each.
6. **For General Use**—25 messages of 25 words each, 25 messages of 50 words each, and 25 messages of 100 words each.
7. **25 Brief Announcements** for use by U. S. Weather forecasters.
8. **25 Brief Announcements** for use by farm market reporters.
9. **For Station Breaks**—25 messages.

RADIO
1920 - 1945
XXV

TEACHERS IN XXV PROGRAM

Sacramento, Calif.—A salute to the radio industry on its 25th anniversary, done in the form of a broadcast over the Pacific Coast network of the American Broadcasting Company, climaxed the KFBK Radio Summer School in Sacramento, Calif., on Saturday, July 28th.

Nearly half of the 100 public school teachers enrolled in the course tried out for a score of parts. The theme of the program, with a background of organ music, concerned radio's meaning to the listener.

A KFBK announcer summed it up as follows:

"This special program, originating in the studios of KFBK in Sacramento, is more than an observance of radio's quarter century of achievement. In a sense it is a promise that the pioneering days of the industry are not at an end, that radio today stands on the threshold of accomplishment which promises to transcend any of the miracles that have gone before.

"More than that, this program is a demonstration that new explorations continue, that the pioneering goes on.

"Three weeks ago, KFBK, in cooperation with the Sacramento public schools and the American Broadcasting Company, opened the doors of its first Radio Summer School—the first enterprise of its kind in California—a project planned to help the public school teachers of Sacramento understand radio better and utilize it more advantageously in the classroom.

"The faculty—and the public school teachers who have attended the course—have found it a helpful and interesting approach to the new field of radio in education. Today saw the closing session of KFBK's Radio Summer School. This program, which has been the culmination of the course, was presented by and with the teachers who were enrolled. The voices you have heard are theirs. They present this program to you as a public service."

It was significant that KFBK's silver anniversary salute to radio was done by a station only two years younger than the industry itself, for it was on February 2, 1922, that tiny KVQ, a five-watt station, first went on the air. This was KFBK's predecessor and represented the initial venture into radio of what now is the McClatchy Broadcasting Company, including besides KFBK, KMJ in Fresno, KWG in Stockton, KERN in Bakersfield and KOH in Reno, Nev.

Frances Frater of the program department of the McClatchy Broadcasting Company was the assistant director.

Other faculty members included Dr. Harrison B. Summers of New York, manager of the public service division of the American Broadcasting Company; Francis Conrad of Hollywood, station relations manager of the western division of American; Ted MacMurray, of Hollywood, production manager of the western division of American, and Francis Noel of Sacramento, chief of the division of audio-visual education for the California State Department of Education.

A feature of the school was almost a full day's program presented by the top ranking officers of the Armed Forces Radio Service—Colonel Thomas H. Lewis, commandant of the AFRS; Lieutenant Colonel True E. Boardmand, chief of the troop information planning section, and Captain Fordyce Cowing, assistant executive officer.

"Q." COX ON LOAN TO TREASURY

H. Quenton Cox, assistant manager, KGW, Portland, Oregon, has been loaned to the War Finance Division, Treasury Department, for the duration of the Victory Loan. He will act as Special Industry Consultant and will assist Radio Chief Lt. David Levy.

CENSORSHIP TERMINATED—PRICE SALUTES BROADCASTERS

On last Friday (17) Byron Price, Director of Censorship, acting upon authority of President Truman, declared radio and press censorship to be officially ended. He issued a statement reading in part as follows:

"It gives me great pleasure to inform you that effective at once voluntary censorship is ended and the code and its attendant cautions entirely cancelled.

"During the long, trying years since Pearl Harbor you have written a bright page in the history of free enterprise. No one will dare question. hereafter, that your patriotism and patient cooperation have contributed greatly to the glorious victory.

"You deserve, and you have, the thanks and appreciation of your Government. And my own gratitude and that of my colleagues in the unpleasant task of administering censorship is beyond words or limit."

In a radio address, Mr. Price, referring to freedom of expression as an American heritage handed down from one generation to another said:

"If the war had cost us this freedom, or any measure of it, the victory would be a victory in name only. As it is the radio and the press throughout the United States are now assured of emerging from the great crisis as free as they were before the Japanese assault on Pearl Harbor.

"During the intervening three years and eight months both broadcasters and editors have voluntarily withheld information which would have helped the Germans and the Japanese to defeat us; but even these restraints—self-imposed and loyally upheld—were removed today when the Office of Censorship ceased performing all its wartime activities.

"The record, as I have just informed broadcasters and editors in a special message of gratitude, is a bright page in the history of free enterprise.

"Its success was climaxed only last week with President Truman's announcement that an atomic bomb had been dropped over a Japanese military center.. The event was a complete surprise to the enemy for American radio stations, newspapers, magazines, and all other publications, and newsreels had cooperated in preventing premature disclosure."

In a letter to J. Harold Ryan, President. dated August 21, Byron Price, Director of Censorship, pays well deserved tribute to the broadcasters and to NAB. The complete text of his letter follows:

"I cannot close the Office of Censorship without expressing my deep appreciation for the wholehearted support given to voluntary censorship by the officers and directors of the National Association of Broadcasters.

"This unique experiment was successful because of the patriotic cooperation of the entire broadcasting industry, but it was most encouraging to me to be able to go to the NAB for advice and suggestions about our problems. I found that sound counsel and sympathetic consideration were forthcoming at all times.

"For that service I extend sincere thanks on behalf of the government, and in addition desire to express my personal gratitude. I shall appreciate it if you will pass along this note to your associates."

ONLY NINE BWC ORDERS REMAIN

The Board of War Communication has rescinded all but nine of the orders which it has issued since its creation, as the Defense Communication Board, in September of 1940. The nine existing orders, on August 23, 1945, with a brief description of each, are listed below:

Order No. 1, dated December 26, 1941, directing that all radio stations and facilities aboard all vessels, as defined in title 1, section 3, of the U. S. code, domestic and foreign, within the jurisdiction of the United States, shall be subject to such use, control, supervision, inspection or closure, by the Navy Department as may be deemed necessary for national security and defense.

Order No. 2, dated February 26, 1942, directing that all coastal and marine relay radio stations as defined by the rules and regulation of the FCC, within the jurisdiction of the United States, shall be subject to such use, control, supervision, inspection or closure, by the Navy Department as may be necessary for national security and defense, and successful conduct of the war by the Secretary of Navy.

Order No. 3, dated March 25, 1942, authorizing the Secretary of War and Secretary of Navy to take such steps as may be necessary to safeguard all military and naval messages handled by means of radio communication and wire communication under the jurisdiction of the United States, in order to insure that all such communications be transmitted rapidly, securely and inviolate, and further, to insure that no emission of spurious origin purporting to be a military or naval communication be transmitted by means of radio or wire communication.

Order No. 4, dated April 16, 1942, requiring registration with the FCC of apparatus which is capable of generating radio frequency energy.

Order No. 20, dated October 8, 1942, prescribing regulations determining priority for urgent telephone calls.

Order No. 22, dated October 22, 1942, prohibiting the lease of communication circuits in submarine cables without prior approval of the Board of War Communications.

Order No. 26, dated January 14th, 1943, priority for urgent teletypewriter exchange (TWX) messages essential to war effort or public safety.

Order No. 27, dated January 21, 1943, precedence for telegraph message, essential to war effort or public safety.

CONTROLS ON HIGHER SALARIES EASED

According to an AP dispatch, the Internal Revenue Bureau on Wednesday (22) formally relaxed restrictions on salary increases in the $5,000 a year or higher brackets.

The action, taken by the bureau's salary stabilization unit, followed a similar step ordered last week by President Truman for salaries under $5,000 which are under the jurisdiction of the War Labor Board. (See Employer-Employee Supplement No. 1.)

The order, issued by Commissioner Joseph D. Nunan, Jr., in accordance with an executive order, placed three stipulations on potential salary boosts:

(1) The salary increase must not be used as the basis for seeking an increase in price ceilings;

(2) The increase must not be used for resisting otherwise justifiable reductions in price ceilings;

(3) In the case of products or services being furnished under contract with a Federal procurement agency, the increase must not add to the cost to the United States.

Under the salary stabilization regulations, the Internal Revenue commissioner has authority over all salaries of $5,000 or more per year, and also any salaries of less than $5,000 when paid to administrative, professional or executive employes who are not represented by labor organizations. It is these salaries which are affected by today's order.

The new policy applies, in addition to salaries, to bonuses, commissions, fees, incentive pay and all other types of compensation. The announcement said that if the provisions are not violated, the employer may proceed to grant salary increases without any application for approval or any other formality. Otherwise, the employer must apply for approval to a regional office of the salary stabilization unit of the Internal Revenue Bureau.

(Continued on next page)

Where employers already have on file applications for increases which are consistent with the new policy, the Internal Revenue Bureau said they may proceed at once to grant the increases without waiting for action on their applications.

DELEGATION TO RIO CONFERENCE NAMED

The Department of State announced today the composition of the Delegation of the United States to the Third Inter-American Radio Conference to be held at Rio de Janeiro beginning September 3, 1945.

The First Inter-American Radio Conference was held at Habana, Cuba, in 1937, and the Second Inter-American Radio Conference, in Santiago, Chile, in 1940.

The composition of the Delegation, as approved by the President, is as follows:

Delegate: Hon. Adolf A. Berle, United States Ambassador to Brazil.

Members: Loring B. Andrews, Ph.D., Assistant Director, Radio Division, Office of Inter-American Affairs; Col. Theodore L. Bartlett, Air Communicationse Office, Army Air Forces; Robert R. Burton, Chief, Utilization Section, International Information Division; J. H. Dellinger, Ph.D., Chief, Radio Section, National Bureau of Standards; Ralph L. Higgs, Meteorologist, Forecast Division, United States Weather Bureau; Rosel H. Hyde, General Counsel, Federal Communications Commission; Arthur L. Lebel, Chief of the Communications Section, Aviation Division, Department of State; Commander Paul D. Miles, Office of the Chief of Naval Operations, Department of Navy; Harvey B. Otterman, Assistant Chief, Telecommunications Division, Department of State; Col. A. G. Simson, Chief, Communication Liaison Branch, Plans and Operation Division, Office of the Chief Signal Officer, War Department; Lloyd H. Simson, Radio Communications Coordinator, Civil Aeronautics Administration; Hon. Ray C. Wakefield, Commissioner, Federal Communications Commission; Commodore E. M. Webster, Chief Communications Officer, United States Coast Guard; Marion H. Woodward, Chief, International Division, Federal Communications Commission.

Secretary: Hubert M. Curry, Attaché in Charge of Telecommunications, United States Embassy, Habana, Cuba.

Supplementing this State Department release FCC issued the following:

Commissioner Ray C. Wakefield of the Federal Communications Commission, a resident of Fresno, Calif., and former president of the California Railroad Commission, will fly to Rio de Janeiro Sunday, August 26, as a member of the United States Delegation to the Third Inter-American Radio Conference to be held there beginning September 3.

The delegation will be headed by Adolf A. Berle, U. S. Ambassador to Brazil.

Among the subjects on the conference agenda are the standardization of rates, settlement of balances between countries, frequency assignment and interference. The growing importance of aviation as a connecting link between countries of the western hemisphere and the resulting increase in the use of radio makes this conference particularly timely.

Commissioner Wakefield will return from the conference by the way of Lima, Peru, and Bogota, Columbia, where he will confer with officials on international telegraph matters. He will be accompanied by Rosel H. Hyde, general counsel of the Commission, and Marion H. Woodward, chief of the international division of the Commission.

Last summer Commissioner Wakefield, visiting various South American countries, was successful in obtaining substantial reductions in telegraph rates to the United States. In the spring of this year he conferred with officials in England, France, Belgium and Italy on various communications problems.

COAST GUARD THANKS RADIO

In a letter to NAB President J. Harold Ryan, dated August 13, Ellis Reed-Hill, Commodore of the U. S. Coast Guard and Chief of the Public Information Division, thanks radio for the cooperation given to the observance of the 155th anniversary of that service. The letter follows:

"The 155th anniversary celebration commemorating the founding of the Coast Guard has been the most successful in the long history of this Service. All media of communication cooperated fully with the Service in paying tribute to the Coast Guard.

"Radio's part was outstanding. Both network and independent stations delivered messages and special programs which brought to practically every home in the land tributes to the Service. On behalf of the officers and enlisted personnel of the Coast Guard, I desire to express thanks to the entire radio broadcasting industry for its public-spirited assistance and cooperation."

JUSTIN MILLER IMPRESSES BRITISH

Europeans who are meeting Justin Miller on his ETO tour are adding their warm approval to that voiced by American broadcasters over his acceptance of the NAB presidency.

Reprinted below is comment from the editorial page of Aug. 20 issue of *Broadcasting:*

"Justin Miller, we hear, impressed the British, a remarkably calm and collected people, with his own modest assurance. Speaking to a group of our allies in London, he stated with firmness his belief in American broadcasters, admitted his limited knowledge of the art, but expressed his determination to learn more. With Jess Willard, a practical broadcaster who has come up through the ranks, at his elbow, Judge Miller gives promise of steering the NAB toward great accomplishments."

Jack Alicoate, "Radio Daily" representative on the tour, writes from Paris as follows:

"We reply to General Thompson through our spokesman Judge Justin Miller. . . . Judge Miller is a man of stature, penetrating understanding and one who does not lack a highly developed sense of sophisticated humor. . . . The more we see of him the more we like him."

TRUMAN, BYRNES, SUPPORT FREE RADIO, PRESS

In an interview with Paul Miller, assistant general manager of the Associated Press, President Truman and Secretary of State James F. Byrnes joined (22) in placing the full authority of the United States behind the thesis that only a free and wholly informed radio and press can give the peoples of the world the information that will enable them to understand each other's problems in the reconstruction days that lie ahead.

Byrnes declared, during a news conference, that he would rather have unrestricted and uncensored reporters on watch during coming elections in the Balkans than to have any number of official observers, whether they be gentlemen in uniform or otherwise.

Mr. Truman followed through later by making it clear that the Truman Administration believes freedom of radio and press a two-way street and by emphasizing—and allowing his words to be quoted—that his policy is to let foreign correspondents share equally with American reporters in access to news in Washington.

President Truman made his views known in a talk after Miller had told him of a report in *World's Press News*, British trade journal for the newspaper profession, that American officials frequently discriminated in favor of American correspondents and against foreign reporters.

Mr. Truman didn't agree with the London report. Miller asked permission to quote what he said. Mr. Truman granted it. The authorized quotation was:

"The President said he would be glad to have it noted that it is his policy that all representatives—irrespective of origin or nationality—shall have equal access to the

(Continued on next page)

news at Washington. Reciprocally, he added, he hoped the same is true all over the world—that American newsmen will have equal access with their contemporaries in all countries."

PORTLAND ROTARY SEES NEW ERA

C. W. Myers, President of KOIN, has called attention to a resolution adopted by the Portland Rotary Club relating to the "atomic age." Referring to the atomic bomb as the most powerful weapon for peace ever given to man, the resolution expresses the hope that there will be mutual understanding between the nations to bring about a free flow of common information without any arbitrary restraints.

The resolution petitions the President of the United States "to call immediately a conference of the United Nations to outline a new and streamlined peace in keeping with this new age of man and looking forward to the elimination of political censorships and the elimination of all other arbitrary or artificial barriers which prevent mutual understanding by the nations of the earth. It is further suggested that the Atomic Age has made former diplomatic agreements obsolete and the new peace must guarantee equable use of world wide communication by all nations as well as world wide freedom of expression."

NAB BOOK ON CHILDREN'S PROGRAMS AVAILABLE

The new "Standards of Practice" recently adopted by the NAB includes a statement to this effect: "To establish acceptable and improving standards for children's programs, the NAB will continuously engage in studies and consultation with parent and child study groups. The results of these studies will be made available for application to all children's programs."

In line with this policy the NAB has just published an eighty page booklet titled "Program Patterns for Young Radio Listeners," by Dorothy Lewis, NAB Coordinator, and Dorothy L. McFadden, President of Junior Programs, Incorporated, and Chairman of Children's Program Committee for the Radio Council of New Jersey.

In a statement included in the booklet, Harold Fair, Radio Station WHO, and former chairman of the NAB Program Management Committee, has said: "The effect of a radio program on the highly impressionable mind of a child is a matter for serious consideration for everyone in any way responsible for children's programs. The long study and hard work that have gone into the publication of this book will be of tremendous value to everyone interested in such programs. NAB is making a most important contribution to broadcasting in this field of programming, and I recommend the study of this booklet to all broadcasters. Dorothy Lewis and her co-author are to be commended for a fine piece of work."

The booklet contains a list of over six hundred juvenile series that have been on the air within the last five years, divided into twenty-two patterns, with descriptions of the interesting features of hundreds. Also included are chapters on Program Trends, National Network Programs, FM and Television Transcriptions, Merchandising, Community Cooperation, etc. It is a practical handbook full of ideas which should be of interest to every broadcaster.

A limited number of copies are available for distribution in your community. Please see that this NAB service is utilized by furnishing your educators and child study groups, with copies.

HAMS MAY RESUME

The Federal Communications Commission announced on Tuesday (21) that effective at once amateur radio operators in good standing who have been off the air since Pearl Harbor may operate until November 15, 1945, in the 112 to 115.5 megacycle band.

They will share this band with the War Emergency Radio Service, which was established as a temporary radio service for emergency communication in connection with national defense and conditions jeopardizing public safety. Many of the operators in this service were amateur volunteers. This WERS service will be terminated on November 15, 1945.

About 60,000 amateur operators were licensed at the time the Commission ordered them off the air after the outbreak of war. All of these, except those whose operator licenses were suspended or whose station licenses were revoked, will be eligible to operate in the 112 to 115.5 megacycle band thrown open by the Commission today.

Before the end of the provisional period announced today, the Commission will announce a further policy on future amateur operation. It is anticipated that other bands allocated to amateurs in the recent FCC frequency allocations will be made available to them as soon as they are vacated by present users.

SWAP BULLETIN DISCONTINUED

Due to the cessation of hostilities in the Pacific and the rescinding of controls by WPB affecting the production and distribution of electronic equipment, it has been decided to discontinue the publication of the *NAB Swap Bulletin.*

The *Swap Bulletin* was first issued in the early summer of 1942, when the shortage of replacement parts and tubes for broadcast stations first became apparent. Since that date fifty-eight issues of the *Swap Bulletin* have been mailed to all United States broadcast stations, both member and non-member. During the period of critical wartime shortages the *Swap Bulletin* accomplished a very useful purpose, and it was one of the factors that made possible the continued operation of every broadcast station throughout the war.

RADAR REPORT AVAILABLE

The Joint Board on Scientific Information Policy has prepared a publication entitled "Radar—A Report on Science at War." This 53-page booklet outlines in detail the history, development, war uses, and peacetime applications of Radar. It is an interesting document, particularly so to broadcasters who are technically minded. Copies of the publication may be obtained from the Superintendent of Documents, United States Government Printing Office, at fifteen cents each.

BOARD OF WAR COMMUNICATIONS RESCINDS VISITOR RESTRICTIONS

The Board of War Communications in a meeting held August 16, 1945, reviewed the orders issued during the period from the organization in September 1940 of the Board (then designated as the Defense Communications Board) until the capitulation of Japan. It was determined that under present conditions all but nine of a series of thirty orders issued by the Board in the interest of national defense and in the matter of control and use of communication facilities during the war emergency should be cancelled as having served the purposes for which they were issued.

Of particular interest to broadcasters is the Board's announced cancellation of its requests upon all persons engaged in the wire or radio communication industry, including manufacturing, with respect to visits to communication plants and stations, as given in Mimeograph Notice No. 53152 dated August 21, 1941, Mimeograph

(Continued on next page)

Notice No. 56341, dated December 15, 1941, Mimeograph Notice No. 58110, dated February 21, 1942, and Mimeograph Notice No. 67231, dated March 18, 1943. The matter of permitting visits, inspections and access to such facilities (including broadcasting) and plants is to be controlled in the discretion of the owner.

PRICING IS BOTTLENECK FOR SETS

When Melvin E. Karns, director, Radio and Radar division, WPB, released his story on Tuesday (21) regarding 3,500,000 new radio sets by the end of the year, eyebrow lifting was noted in the ranks of set manufacturers.

Unless the price situation, now in the hands of OPA, gets straightened out so as to permit production at a profit, the trade feels that Mr. Karns has been unduly optimistic.

NAB understands that attempts currently are being made to resolve the price bottleneck. Only if this can be achieved, it is felt, will there be a possibility of reaching the estimated production.

Tubes, according to the trade, are reaching trade channels in increasing quantities. This would permit supplies for both replacement and new sets.

"MUSIC FROM YOUR HOMETOWN"

Two new stations, WGAR, Cleveland, and WGBS, Miami, have volunteered to make "Music from Your Hometown" programs for global broadcast to the nation's military personnel. The addition of these two stations makes a total of sixty-six which will produce six 15-minute musical shows within a 90-day period.

Shipments of "Music from Your Hometown" programs will be reported in NAB Reports since the cooperating stations have been asked to notify NAB when programs are shipped.

KOIN—Portland, Oregon

Ted W. Cooke, production manager, KOIN, Portland, expressed the station's No. 1 "Music from Your Hometown" program on August 16. Program No. 1 was Tommy Tucker and his orchestra from Jantzen Beach Park.

KLZ—Denver

Peter D. Smythe, program director, KLZ, Denver, shipped his first program on August 17. It was Tony Pastor and his band. Second show will be Ted Weems and Mary Lee.

WGRC—Louisville

Wilson Humber, now playing Iroquois Gardens, was the No. 1 program produced by Ward Hatcher, program director, WGRC, Louisville. Shipped August 20.

VAST NEED FOR "HOMETOWN" PROGRAMS

The Army and Navy Departments, through Armed Forces Radio Service, have attested to the necessity of the continued production of "Let's Go to Town" programs. Stations with unfinished programs are urged to complete them. Station managers desiring to be of direct service to the millions of fighting men overseas are invited to volunteer to produce a "Let's Go to Town" program. Write Arthur Stringer, NAB, for the kit of instruction. Here's recent news of this activity:

KANS—Wichita

Jack Todd, general manager, KANS, and Task Force Commander for the Wichita, Kans., "Let's Go to Town" show, shipped the "Hometown" programs to Armed Forces Radio Service on August 3.

WGAR Will Produce

WGAR, Cleveland, through David Baylor, program director, has notified NAB that the station will produce a "Let's Go to Town" program at once.

WTMJ Hears from Milwaukee Show

WTMJ, Milwaukee, R. G. Winnie, Task Force Commander, has received a number of letters from servicemen in widely dispersed locations around the globe. All attested to the "lift" which the show gave them.

Sgt. Edward J. Anas wrote from Yunnan Province, China: ". . . But the best part came with the familiar noises we heard daily when back home—the whistle of the traffic cop on 3rd and State—the Hiawatha's horn crossing a road in Wauwatosa—the noise of a bridge opening—the bells of Gesu—the sound of a fog horn on Lake Michigan. Yes, 18 months in India and China are enough to make a fellow glad to hear a piece of what's still going on at home."

Bob Nichols, Radio Technician 1st Class, heard the Milwaukee program somewhere in the European theater. While his home is in Green Bay, Mr. Nichols has been in Milwaukee so frequently that the Milwaukee broadcast was "a half hour of home" to him. "The program was tops from start to finish," he said.

Steve Snider, Y1c, USNR, caught the show in the Philippines. He wrote: "Twisting a dial in a shack down near the beach tonight, I heard a familiar voice trailing off into . . . 'the Green Bay Packers' . . . Sure enough, it was Winnie and mighty swell even to hear the word 'football' mentioned.

"While down in Australia on leave from a radio outfit in New Guinea last summer, I did a job for Comdr. George Halas and as you can well imagine he is champing at the bit, to coin a phrase, to get near that National League. He is up on Admiral Nimitz's staff now in the Central Pacific."

He Liked the Quincy Show

C. Arthur Fifer, WTAD, Task Force Commander for the Quincy, Illinois, show, has just heard from Gunner's Mate Charles Pryor from somewhere "at sea." He said:

"In all the four long years of my Navy career have I ever had such a surprise or morale lifter than I did today when I turned on the radio, and all of a sudden I heard, 'This is WTAD in Quincy.' At first I just couldn't believe my ears hearing the voice of the old home town station reaching our ship across the Atlantic Ocean.

"Well, friends, after getting over my great surprise and telling all my shipmates in detail about Quincy, I am sure I can speak for us all. We really enjoyed every minute of the broadcast and only wish it could happen more often."

WROK HELPS IN POLIO EPIDEMIC

End of the war has brought no relief for staff of WROK, Rockford, Illinois.

The city is battling an epidemic of infantile paralysis with cases at this writing numbering 150 and deaths totaling 16. Entire lobby of Hotel Faust has been set up as polio headquarters, and WROK has a mike on the spot to broadcast emergency messages. Appeals for beds, blankets, and manpower won considerable response. For example, an appeal—aired on the day following Jap surrender—for women to assist in Red Cross sewing project brought forty volunteers to the RC sewing room within an hour after the broadcast.

(Continued on next page)

Spraying of Rockford and its suburbs with DDT insecticide has called for extensive cooperation from WROK. Staff members remain in constant contact with officials of the city Health Department, Red Cross, and local and national officials of the Infantile Paralysis Foundation. Station has broadcast several interviews with noted physicians who have come to Rockford to aid in the emergency.

23 MINUTES TOO LATE

Charles Fisher, writing in the *Philadelphia Record*, discusses at length the coolness with which expected news of great import is awaited in news rooms, and, once arrived, the efficiency with which it finds its way through succeeding stages of newsplant operation, finally to appear in print.

Says Mr. Fisher:

". . . The whole thing has been done in 23 minutes. But of late there are a lot of editors and publishers who don't stress speed the way they used to. Only dolts would fail to understand that if we take 23 minutes, the radio is still 23 minutes ahead of us with the first flash. The stress, then, is on lucid, well-organized stories, full of detail and reliable background, with rumor and known fact separated beyond the chance of misunderstanding.

"Radio, having reached the age of responsibility, separates fact and rumor, too, of course. But when events of importance are going forward, radio must keep on the air some 20 or 24 hours a day. During all that period a voice must be kept coming out of the speakers—although there may be no more than two dozen lines of actual news. The resultant jumble and chance of confusion aren't radio's fault. They are things lying in the ears and minds of listeners.

"We know that in our case we keep the radio turned on when we are away from the office, and we appreciate its speed and integrity in handling news. . . ."

SOUND COMMENT

During the recent newspaper tieup in New York, caused by striking deliverymen, the bureau of advertising of the American Newspaper Publishers Association engaged the services of a research organization to conduct a survey to determine how effectively radio might serve in lieu of the press.

The researchers came up with the not too startling discovery that newspapers still have an important place in the American way of life.

Sound comment comes from the Auburn, N. Y., *Citizen Advertiser*, August 4. This comment follows in part:

". . . we wonder what would have happened had striking radio mechanics been able to prevent all radio reception for 17 days in New York City and if the radio people had hired Fact Finders Associates to approach people with the following come-on: 'You probably are getting most of your news from the newspaper. Is the press completely filling your need for news?'

"What we are driving at is the futility of this continual duel between press and radio over which is the best news medium. Ink vs. ether. It's like those subjects for high school debate: 'Who was the greater man, Washington or Lincoln?' The times called for each respectively, and each responded superlatively. Radio and press may be competitors, and yet fundamentally they complement each other, being part of the same process—communications. . . .

"There are occasions, however, when speed of transmission is the chief asset. In this matter there can be no question about where superiority lies. In a flash the radio can broadcast and relay an important piece of news from one corner of the world to another. In time of approaching danger, such as hurricanes, voices carry warnings over the ether to remote places with the speed of light. . . ."

APARTMENT HOUSES ARE TELEVISION RECEPTION PROBLEM

An article directed to the attention of real estate operators by T. R. Kennedy, Jr., appeared in the New York *Times* on August 19, 1945. Mr. Kennedy quoted extensively from a statement by Dr. Alfred N. Goldsmith, consulting radio engineer of New York City. We quote Dr. Goldsmith:

"Each television receiver requires an antenna but, paradoxically, the greater the number of antennas one installs on a single roof top, the greater the trouble one gets into. Video antenna systems do not operate well when many are confined to small areas.

"A single antenna on each roof, serving all the tenants in the building, would be ideal, but here again is a difficulty—no single wire pick-up system can serve more than a very few receivers without expensive auxiliary apparatus, such as all-wave amplifiers and highly efficient cables extending throughout the building, terminating in a special outlet in each apartment.

"This, therefore, is clearly a problem to be placed in the hands of the landlord, who may underwrite the job. Obviously the tenant cannot do it.

"When many video transmitters are licensed to serve the city with programs, a single master antenna will be even more needed, for it will have to include separate elements attuned to intercept all the programs efficiently and be free from ghost images and other interference. In addition, each element will not only have to be attuned to a particular station but, in effect, be pointed toward the sending station. That is, if clear video reception is to be attained.

"So, it appears, wholesale video reception in large buildings will have to be a community affair. Landlords of the future may find this not only an attractive feature for their tenants but an absolute necessity some day as a condition of continued rental.

"One finds this new problem of 'collective' video reception is not only a matter for the engineer. There is the job of selling it to the property owner, the architects for future construction, and all real estate boards of large cities. In the preparation of a set of standard blueprints for such jobs I am sure ample cooperation might be had from the Institute of Radio Engineers. The cooperation of the Radio Manufacturers Association, also, perhaps, should be sought. When the plans were ready, apartment house dwellers would not only have efficient television reception but also a better antenna for FM, shortwaves and broadcasting. One system could do the job for all waves."

The problem of providing satisfactory television reception in large apartment buildings has long been recognized by television engineers. This is a matter of peculiar concern to urbanites living in communities where large apartment houses are prevalent. It is probable that in many communities construction of large apartment dwellings will get under way in the near future. Although detailed plans for television multiple receiver antenna systems are not yet available, broadcasters may bring this problem to the attention of builders and architects in their communities. Recognition of the problem at this time will enable the builder to provide satisfactory electrical conduits in order that the antenna system may be installed when the need arises for its use. In some instances it may only be necessary to provide suitable pipe risers within the building wherein the conduit could be installed without the necessity of damaging walls and concrete flooring.

BOSTON COUNCIL ELECTS

A recent election of officers for the Radio Council of Greater Boston resulted in the selection of Mrs. Benjamin Kraus as president.

Mrs. Kraus is regional director of NAB Listener Division in the area.

AWD AT STEPHENS COLLEGE

How do women broadcasters get that way?

Stephens College and the Association of Women Directors of the National Association of Broadcasters are trying to find the answer. The first annual report of an experiment in training women directors, sponsored by AWD at Stephens College, has just been issued by Sherman P. Lawton, director of the experiment.

Mrs. Dorothy Lewis, Coordinator of Listener Activity for NAB, and an AWD committee of women broadcasters, set up a training program at Stephens for young women who want to learn how to handle women's programs on the air. The first report of the experiment cites the records of eleven girls who started the training back in September, 1944, under Lawton's direction. Eight have already gone into jobs at radio stations, one of the aspiring students had to drop out of school because of illness, and two are going on to school.

The students are selected for the special AWD training on the basis of intelligence and ability. They are given courses in radio technique, home economics, interior decoration, child care and similar subjects. Successful women broadcasters are sent to the campus by the AWD committee to hold conferences with the students and give them firsthand advice.

The significance of the experiment lies in the cooperation between a professional group of radio practitioners and an education institution.

JETT OF FCC SPEAKS ON FM

Federal Communications Commissioner E. K. Jett delivered a radio address over CBS on Sunday (19) on the operation and advantages of Frequency Modulation broadcasting. Mr. Jett's was the first of a series of talks by prominent radio authorities to be broadcast in the coming weeks. The text of Mr. Jett's address follows:

"Within the not so distant future—probably within the first two or three years of the post-war period on which we are now entering—large numbers of the American public will be able to take advantage of a remarkable new system of broadcasting called FM—Frequency Modulation. Credit for this development belongs to Professor Edwin H. Armstrong of Columbia University who describes his invention as "a method of eliminating static in radio by means of frequency modulation." Other American scientists and engineers, including some who developed radar, which enables us to see through clouds and fog, have also contributed to the present state of development of this vastly important and interesting new kind of broadcasting.

"I imagine that most people, who have come to depend upon radio for so great a part of their news and entertainment, have heard something about FM. Some of you probably have heard FM programs, and are able to judge for yourselves the advantage of this system of broadcasting over AM, or Amplitude Modulation, which is the term for the present standard broadcasting serivce, now in general use. At present there are about 50 FM stations on the air. These stations are the pioneers in this new development of radio science—and they have already demonstrated—at least from the engineering point of view—that the new system of FM broadcasting is sound and reliable. Within two or three years, it is expected that some 500 FM stations—ten times the present number—will be serving the American radio public.

"FM broadcasting lies in the realm of the very short waves. Transmission will be on wave-lengths much shorter than any of those now used for general broadcasting to the public. Naturally, FM involves the use of a new type of receiver. Therefore the great majority of radio receiving sets now in use, that is, those which do not include the FM receiving band, will not be able to pick up FM broadcasts. FM also involves the use of new transmitters by the broadcasters. Whereas the older broadcasting sites usually are in low, marshy land or open fields, the new FM transmitting towers and antennas will be placed on top of high buildings or hills.

"Because of its high fidelity characteristics, FM will be greatly appreciated by musicians and artists who present the programs, as well as music lovers the world over, who receive the programs in their homes.

"But perhaps the most obvious advantage of FM over AM, the present broadcast system from the listeners' standpoint, is FM's freedom from noise and static. Most of the cracklings and poppings, due to man-made interference, electrical storms and other natural causes, that often annoy listeners to AM broadcasts, will be eliminated by FM.

"A second and closely related advantage of this new system of broadcasting is the freedom of interference from other stations which operate on the same or adjacent channels. Except in rare cases interference will not be experienced within the service areas defined by the Federal Communications Commission, from stations located in the same or other cities.

"The service areas of FM stations will be greater than those of existing AM stations. Persons residing in urban and suburban areas and for a considerable distance beyond, will enjoy excellent reception from all stations in their locality. In many cases persons residing in remote rural areas who have difficulty in receiving AM stations will get good reception from FM stations whose transmitters are located on mountain tops.

"The logical result of these features of FM broadcasting is that a great many more broadcasting stations can be built. At present there are 900-odd stations in the United States and there are demands for many more. The principal reason that the Federal Communications Commission has been unable to grant licenses for more AM stations is that all of the available channels are being used in most localities. With FM broadcasting, it will be possible to license more stations in a given locality. Indeed, it is believed that, by careful planning, several thousand FM stations can be authorized in this country. Furthermore, since the range of FM stations is not increased at night, as in the case of AM stations, it will be possible to utilize the same channels in all countries without mutual interference.

"Of course, just how rapidly FM broadcasting develops will depend on how rapidly you, the listeners, accept this new method of program transmissions. While I hesitate to make predictions concerning the speed with which people will shift from AM to FM, I venture the guess that within four or five years after production begins, at least half of the homes of America will be equipped to receive FM broadcasts. It is also my opinion that, in the densely populated metropolitan area, FM eventually will replace local and regional AM reception. However, the high-power clear-channel AM stations must be retained throughout the years to serve rural audiences which cannot get good reception from FM stations.

"During the transition period from AM to FM most of the receivers offered for sale to the public will incorporate both systems of broadcasting. The added cost for the FM feature will not be great—perhaps no more than you have been accustomed to pay for the short-wave international broadcasting range in your existing pre-war receiver. It is, therefore, to your advantage to obtain a combination set which will receive both AM and FM when the new models appear on the market. If your present receiver is in good condition you may wish to consider purchasing an FM adapter, or a receiver capable of FM reception only. In any event I feel that more and more American radio listeners are going to want to know just what FM is; how it differs from the present AM system of broadcasting; and what effect its increasing use is going to have on radio service and programs throughout the country.

"The vast possibilities of frequency modulation broadcasting offer a clear challenge to American broadcasters and American listeners. The broadcasters assure us that, under FM, we shall continue to get our favorite programs—and perhaps to enjoy them more than ever—since recep-

(Continued on next page)

tion will be considerably better. More than that, we shall be offered an even greater variety of programs as a natural outgrowth of the tremendous increase in the number of stations and the number of services possible with FM. This increase means an opportunity for even wider discussion of public issues than we now enjoy. In short, it appears that FM provides one very important means of vastly improving the service of radio throughout the United States, to all the American people."

DISCUSSION OF G.I. BILL OF RIGHTS GETS RESULTS

A recent interview broadcast over WIOD, Miami, with the local representative of the Veterans' Administration, brought startling results. The discussion touched on the point of payment being accepted by attorneys for filing claims under the G. I. Bill of Rights. The interview brought out quite clearly that the acceptance of such a fee is unlawful. Within a very short while, three irate returnees had 'phoned the office to report having paid attorney's fees for such service and investigation is now underway to correct the situation. WIOD broadcasts this discussion of Veterans' Affairs weekly as a part of its public service schedule.

KYW GETS SIXTH AWARD FOR AIDING WAR EFFORT

Philadelphia, Pa.—With many miles of mythical traveling behind it, the "Valley Forge Caravan," hour-long musical program heard over KYW six nights weekly, marked its third birthday August 3 with its 939th broadcast.

Representative heads of Philadelphia industrial organizations, who through the years have been saluted for their tireless promotion of the war effort, joined the "regulars" in marking the anniversary with special ceremonies.

A highlight of the program as it rolled into its fourth year was a sixth citation received by the "Caravan" for its part in the war effort. The presentation of the "S" award for noteworthy service in promotion of salvage work in this area was made by Thomas McDonough, representing the War Production Board.

Federal Communications Commission Docket

HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, August 27. It is subject to change.

Thursday, August 30

NEW—George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a Partnership, d/b as New Iberia Broadcasting Company, New Iberia, Louisiana—C. P., **1240 kc.**, 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WBT and Relays WEHI and WCBE—Columbia Broadcasting System, Inc. (assignor), Southeastern Broadcasting Co. (assignee), Charlotte, N. C.—Granted consent to voluntary assignment of license of station WBT and Relay stations WEHI and WCBE, from the Columbia Broadcasting System, Inc., to Southeastern Broadcasting Co. for the amount of $1,505,000 (Chairman Porter not participating and Comr. Durr voting for hearing). Assignor states that the reason for assigning the license is for the purpose of complying with Commission Rule 3.106 which states in part: "No license shall be granted to a network organization . . . for any standard broadcast station in any locality where the existing standard broadcast stations are so few or of such unequal desirability . . . that competition would be restrained by such licensing." (B3-AL-491; ALRE-38 and 32)

WFLA—J. S. Mims, et al. (transferors), A. W. Curry and R. Keith Kane, trustees under the will of John Stewart Bryan (deceased), D. Tennant Bryan, et al. (transferees), The Tribune Company (licensee), Tampa, Fla.—Granted consent to acquisition of control by A. W. Curry and R. Keith Kane, trustees under the will of John Stewart Bryan (deceased), D. Tennant Bryan, John Stewart Bryan, Jr., and Amanda Bryan Kane, of the Tribune Company, licensee of station WFLA, for a consideration of $41,340 for 106 shares, or approximately 1.71% of the outstanding common stock of the licensee. (B3-TC- 445)

WLIB—Dorothy S. Thackrey (transferor), Theodore Corp. (transferee), WLIB, Inc. (licensee), Brooklyn, N. Y.—Granted consent to voluntary transfer of control of WLIB, Inc., licensee of station WLIB, from Dorothy S. Thackrey to Theodore Corp. Transferor to surrender to transferee 100 shares, or 100% of the outstanding capital stock of the licensee for 25 shares of unissued capital stock of transferee. (B1-TC-451)

WAAT—Bremer Broadcasting Corp., Newark, N. J.—Granted request for additional 60 days within which to comply with rules, regulations and standards pertaining to maintenance of required field intensities.

KFWB—Worcester Broadcasting Corp., San Diego, Cal.—Granted modification of license to change corporate name to THE JACK GROSS BROADCASTING COMPANY.

W6XIS—Intermountain Broadcasting Corp., Salt Lake City, Utah—Granted modification of construction permit for experimental television station, for extension of completion date only from August 19, 1945, to January 19, 1946.

W2XJT—William B. Still tr/as Jamaica Radio Television Co., Jamaica, L. I., New York—Granted modification of construction permit authorizing new experimental television station, for extension of completion date only, from August 31, 1945, to October 15, 1945.

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending August 1, 1947:

KFRU, Columbia, Mo.; KWYO, Sheridan, Wyo.; WKWK, Wheeling, W. Va.; WSRR, Stamford, Conn.; KFPW, Fort Smith, Ark.; KIUP, Durango, Colo.

KWFC—Clyde E. Wilson, Hot Springs, Ark.—Granted renewal of license for the period ending February 1, 1947.

MISCELLANEOUS

KJR—Fisher's Blend Station, Inc. (assignor), Birt F. Fisher (assignee), Seattle, Wash.—Granted petition for continuance of hearing on application for voluntary assignment of license of station KJR, and continued same from August 24 to September 26, 1945.

KHQ-KGA—Louis Wasmer, Inc., Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses of stations KHQ and KGA, and continued same from August 20 to September 20, 1945.

WINS—Hearst Radio, Inc. (assignor), New York City; The Crosley Corp. (assignee), Cincinnati, Ohio—The Commission on its own motion, continued the hearing on application for voluntary assignment of license and construction permit from August 20 to September 19.

Calumet Broadcasting Corp., Hammond, Ind.—Granted motion for extension of time to file exceptions to the proposed report in re application for construction permit now due August 15, and extended time to October 1, 1945.

Placed in the pending files in accordance with the Commission's policy of February 23, 1943, the following FM broadcast applications:

(Continued on next page)

Lee Brothers Broadcasting Co., San Bernardino, Calif.; Royal Miller Radio, Sacramento, Cal.; Reading Broadcasting Co., Reading, Pa.

The following application for new commercial television station was placed in the pending files in accordance with policy of February 23, 1943:

Louis G. Baltimore, Wilkes-Barre, Pa.

The following amended applications for new television stations were retained in the pending files:

National Broadcasting Co., Inc., Washington, D. C., Cleveland, Ohio, Los Angeles, Cal., and Chicago, Ill. American Broadcasting Co., Inc., New York, Chicago, and Los Angeles.

WOKO—WOKO, Inc., Albany, N. Y.—Adopted order granting request for further extension of special temporary authorization under which station WOKO is now operating, and extended time to November 30, 1945.

Centennial Broadcasting Co., Portland, Maine—Granted motion for leave to file supplemental information without further hearing, in the matter of applicant's construction permit and that of Northeastern Radio and Television Corp. for a new station at Portland, Maine, to operate on **1450 kc.**, 250 watts, unlimited time.

APPLICATIONS FILED AT FCC

590 Kilocycles

WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—Construction permit to change frequency from **1400** to **590 kc.**, increase power from 250 watts to 5 KW, install new transmitter and directional antenna for day and night use, and move transmitter from west of Goldsboro, N. C., to north of Rosewood, N. C.

740 Kilocycles

NEW—Radio Broadcasting, Inc., Hot Springs, Ark. (P.O. 135, Benton St.).—Construction permit for a new standard broadcast station to be operated on **740 kc.**, with power of 1 KW, 5 KW-LS, employing directional antenna night, and unlimited hours of operation. (Contingent on grant of B3-P-3814.)

940 Kilocycles

KTKC—J. E. Richmond, Homer W. Wood, Percy M. Whiteside, Morley M. Maddox and Charles A. Whitmore, d/b as Tulare-Kings Counties Radio Associates, Visalia, Calif.—Construction permit to change transmitter and studio location from Visalia, Calif., to Fresno, Calif.

1230 Kilocycles

NEW—John Gordon Studebaker and John Ward Studebaker, d/b as Studebaker Broadcasting Co., San Diego, Calif. (P.O. 411 Green St., Alexandria, Va.).—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, with power of 250 watts, and unlimited hours of operation.

WITH—The Maryland Broadcasting Co., Baltimore, Md.—Authority to determine operating power by direct measurement of antenna power.

1340 Kilocycles

NEW—Voice of Augusta, Inc., Augusta, Ga. (P.O. 1008 Southern Finance Bldg.).—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, with power of 250 watts, and unlimited hours of operation.

NEW—Central Illinois Radio Corp., Peoria, Ill. (P.O. 1140 Jefferson Bldg.).—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, with power of 250 watts, and unlimited hours of operation.

1390 Kilocycles

NEW—Blue Ridge Broadcasting Corp., Roanoke, Va. (P.O. 209 Jefferson, South).—Construction permit for a new standard broadcast station to be operated on **1390 kc.**, with power of 1 KW, employing directional antenna day and night, and unlimited hours of operation.

1460 Kilocycles

KSAN—Golden Gate Broadcasting Corp., San Francisco, Calif.—Construction permit to change frequency from **1450** to **1460 kc.**, increase power from 250 watts to 1 KW, and make changes in transmitting equipment and antenna.

1480 Kilocycles

NEW—Central Broadcasting Co., Madison, Wis.—Construction permit for a new standard broadcast station to be operated on **1070 kc.**, with power of 1 KW, and daytime hours of operation. Amended: to change requested frequency from **1070** to **1480 kc.**, change power and hours of operation from 1 KW daytime to 500 watts night and 1 KW day, unlimited time, install directional antenna for night use, and specify transmitter location.

1490 Kilocycles

NEW—R. O. Hardin and Verna S. Hardin, d/b as Athens Broadcasting Co., Athens, Tenn. (P.O. 105 Oak Park Drive, Knoxville 18, Tenn.).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, with power of 250 watts, and unlimited hours of operation.

NEW—Amphlett Printing Co., San Mateo, Calif. (P.O. 145 Second Ave.).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, with power of 250 watts, and unlimited hours of operation.

1550 Kilocycles

NEW—Frank H. Ford, Shreveport, La. (P.O. 1405 Slattery Bldg.).—Construction permit for a new standard broadcast station to be operated on **1550 kc.**, with power of 250 watts, and unlimited hours of operation.

FM APPLICATIONS

NEW—Matheson Radio Co., Inc., Boston, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47.7 mc.**, with coverage of 3,600 square miles. Amended: to change frequency from **47.7** to **99.9 mc.**, coverage from 3,600 to 11,070 square miles, change type of transmitter and transmitter site from Saugus, Mass., to Framingham, Mass., and make changes in antenna system.

NEW—The Troy Record Co., Troy, N. Y. (P.O. 501 Broadway)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be specified by FCC in **95 mc.** band, subject to applicant's approval, with coverage of 11,380 square miles.

NEW—Peoples Radio Foundation, Inc., New York, N. Y. (P.O. 100 Fifth Ave.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency not specified, with coverage of 8,500 square miles.

NEW—Leaf Chronicle Co., Clarksville, Tenn. (P.O. 112 S. Second St.).—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency not specified, with coverage of 2,210 square miles.

NEW—James A. Noe, Alexandria, La. (P.O. Bernhardt Bldg., Monroe, La.).—Construction permit for a new high frequency (FM) broadcast station to be operated on **46.5 mc.**, with coverage of 7,050 square miles.

NEW—WCBT, Inc., Roanoke Rapids, N. C. (P.O. Box 629).—Construction permit for a new high frequency (FM) broadcast station to be operated on **98.1 mc.**, with coverage of 7,800 square miles.

NEW—Freeport Journal-Standard Publishing Co., Freeport, Ill. (P.O. 12-16 N. Galena Ave.).—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.1 mc.**, with coverage of 4,390 square miles.

NEW—Unity Corporation, Inc., Mansfield, Ohio (P.O. 1014 Edison Bldg., Toledo, Ohio)—Construction permit for a new high frequency (FM) broadcast station to be operated

(Continued on next page)

on frequency to be assigned by FCC, with coverage of 6,014 square miles.

NEW—United Garage and Service Corp., Cleveland, Ohio (P.O. 2020 W. Third St.).—Construction permit for a new high frequency (FM) broadcast station to be operated on **94.1 mc.**, with coverage not specified.

NEW—Hughes Productions, a division of the Hughes Tool Co., Los Angeles, Calif. (P.O. 7000 Romaine St.).—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be assigned by the Commission, with coverage of 7,315 square miles.

NEW—Hughes Productions, a division of the Hughes Tool Co., San Mateo County, Calif. (P.O. 7000 Romaine St., Los Angeles, Calif.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be assigned by the Commission, with coverage of 10,790 square miles.

NEW—Allegheny Broadcasting Corp., Pittsburgh, Pa. (P.O. 196 Union Trust Bldg.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be assigned by Chief Engineer of FCC, with coverage of 11,900 square miles.

NEW—S. W. Warner and E. N. Warner, d/b as Warner Brothers, Oakland, Calif. (P.O. 327 21st St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be assigned by Chief Engineer, with coverage of 6,253 square miles.

W9XG—Purdue University, West Lafayette, Ind.—Modification of construction permit (B4-PVB-52, as modified, which authorized changes in equipment, frequencies, decrease in power, and addition of aural channel using special emission for FM) for extension of completion date from 9-24-45 to 9-24-46.

NEW—KSTP, Inc., St. Paul, Minn. (P.O. Hotel St. Paul).—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.3 mc.**, with coverage of 16,452 square miles.

NEW—Troy Broadcasting Co., Inc., Troy, N. Y. (P.O. 92 Fourth St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be specified, with coverage of 10,598 square miles.

NEW—Winchester Sun Co., Inc., Winchester, Ky. (P.O. Wall and Cleveland Sts.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be determined by FCC Chief Engineer, with coverage of 3,710 square miles.

TELEVISION APPLICATION

NEW—KRLD Radio Corp., Dallas, Tex. (P.O. c/o The Times Herald Printing Co.).—Construction permit for a new commercial television broadcast station to be operated on Channel #2 **(54-60 mc.)**, with ESR of 1500.

MISCELLANEOUS APPLICATIONS

NEW—Eastern Carolina Broadcasting Co., Inc., area of Goldsboro, N. C. (P.O. Borden Bldg., Walnut and James Sts., Goldsboro, N. C.).—Construction permit for a new relay broadcast station to be operated on **31.62, 35.26, 37.34, 39.62 mc.**, with power of 2 watts, and A3 emission.

NEW—City of Dallas, Texas, area of Dallas, Texas (Municipal Bldg., Main at Harwood, Dallas, Tex.).—Construction permit for a new relay broadcast station to be operated on **33.38, 35.02, 37.62, 39.82 mc.**, with power of 2 watts, and A3 emission.

NEW—Gila Broadcasting Co., area of Safford, Ariz. (P.O. Sixth Ave. and Relation St., Safford, Ariz.).—Construction permit for a new relay broadcast station to be operated on **30.82, 33.74, 35.82, 37.98 mc.**, with power of 25 watts, and A3 emission.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Bonded Products Corp.—Misrepresentation of the effectiveness and efficiency of a purported coal-saving device designated "Burn-Rite" is alleged in a complaint issued against Bonded Products Corp., 1182 Broadway, New York, and its officers and stockholders, A. Edward Beldner and Joseph Blau. The device is designed to be installed in the door of a coal or coke furnace and to operate so as to spray pre-heated air over the top of the furnace fuel bed. (5367)

E. & J. Distributing Co.—A complaint has been issued charging Jacob Colon and Evelyn Colon, trading as E. & J. Distributing Co., 313 East 13th Street, New York, with the use of lottery methods in promoting the sale of household articles, novelties and other merchandise. (5368)

Forest City Products, Inc., 205 St. Clair Ave., N. W., Cleveland, and H. Schindler & Co., Inc., Canton, Mass., are charged with misrepresenting the fiber content of waxed dental thread they sell under the name "Sentinel." (5366)

Sebastian-Stuart Fish Co., et al.—A complaint alleging violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale and purchase of canned and fresh fish has been issued against Sebastian-Stuart Fish Co., Seattle, and the partnership of Charles R. Allen, 16 Vendue Range, Charleston, S. C. The partnership, which is composed of Charles R. Allen, Sr., Gene M. Allen, Charles R. Allen, Jr., Mary E. Lankford, Gene M. Allen, II, and Harris R. Allen, also maintains branch offices and warehouses in Jacksonville, Fla., and Savannah, Ga. (5365)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATION

During the past week the Commission has announced the following stipulation:

H. Pettus Randall, Tuscaloosa, Ala., publisher and editor of "Who's Who Among Students in American Universities and Colleges," entered into a stipulation to discontinue certain practices and representations used by him in promoting the sale of annual editions of his publication. (4097)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 35, August 31, 1945

LEWIS AVERY RESIGNS

Lewis H. Avery, for the past three years NAB Director of Broadcast Advertising, has presented his resignation effective September 15. In his letter to President Ryan, Mr. Avery revealed that he has planned for some time the establishment of his own radio station representative organization, and that his plans are now complete.

Mr. Avery joined the staff of NAB in October 1942, filling the vacancy created by the resignation of Frank Pellegrin who entered the military service and is now a Lieutenant Colonel. Mr. Avery has rendered a most distinguished service to the broadcasting industry and his leaving is a source of sincere regret to the entire membership. He carries with him the best wishes of all for complete success in his new venture.

President Ryan announced that he expects within a brief time to announce the selection of a successor as Director of Broadcast Advertising.

RED CROSS TELLS OF RADIO HELP IN DRIVE

Almost two and one-half billion listener impressions delivered by broadcast stations tell the story of the success of the Red Cross 1945 War Fund campaign. Exact number, according to the Red Cross, was 2,448,171,184.

The above is taken from a two-color, illustrated brochure which ARC national headquarters distributed this week. Title is: "How the Red Cross Story Was Told."

Four pages of the brochure tell the story of broadcast help. In February says one page, "Radio Blanketed the Country." Another page tells the story of "Kickoff Radio Day, February 28." Says the brochure: "Every radio listener in the country heard a Red Cross War Fund message on February 28 an average of 5.6 times." The record: 192 national network broadcasts; 564,900,000 listener impressions.

"And in March Radio Plugged the Red Cross for 31 Days" with 290 national network shows and 786,560,000 listener impressions.

"Local Stations and Firms Gave Generously of Their Time" headlines the fourth page of Red Cross radio history. These listener impressions totaled 838,155,400.

BYRON PRICE TO GERMANY

President Truman on Thursday (30) announced the appointment of Byron Price, former Director of Censorship, to be personal representative of the President in Germany. Mr. Price's appointment is well deserved tribute to the splendid service which he has rendered in his capacity as Director of Censorship. No announcement was made as to when he will take up his new assignment.

SUMMARY OF FM RULES

The Federal Communications Commission on Friday (24) issued a summary of the rules it is now formulating for FM broadcasting to enable manufacturers, licensees and applicants to proceed immediately with development plans.

In the more populous Northeastern section of the country (Area I) with its heavier frequency needs, the Commission will increase the number of channels originally allocated to FM from 70 to 80. This will be done by taking over the two megacycles between 106 and 108 mc. initially reserved for facsimile. These two megacycles, however, will continue to be available for facsimile in the rest of the country and facsimile will also have 10 mc. between 470 and 480 mc.

The Northeastern section will be able to have at least as many Metropolitan FM stations as there are existing stations (whether high or low power) plus as many as 50 per cent more in most communities. Sixty channels are allocated for Metropolitan stations having, in general, 20,000 watts power and a 500-feot antenna. In addition, this section will have 20 channels for community stations, with main studio located in the center of the city served and limited to 250 watts power and a 250-foot antenna.

Preliminary studies by the Commission indicate that under this plan *all* listeners in the Northeastern area, whether urban or rural, will have the opportunity of a choice of at least several FM stations, with many listeners a choice of a dozen or more. The Commission intends to scrutinize closely the licensing of stations in this area to make sure that this result is achieved. If it should develop that some listeners in this region do not receive satisfactory service, the Commission will take appropriate remedial action either by the licensing of Community stations or by adjusting service areas of Metropolitan stations in an appropriate manner.

Since it is not possible to allocate rural stations in Area I, the type of service to be rendered by the Metropolitan stations will have to meet the needs of the rural listeners residing in this area as well as the urban listeners.

The remainder of the nation will have 70 FM channels, 10 for Community stations and 60 for Metropolitan and Rural stations. The Metropolitan stations in this area are designed primarily to render service to a single Metropolitan district or a principal city, and to the surrounding rural area.

It will be the policy of the Commission to take all appropriate steps to insure rural coverage.

Other rules reported on by the Commission today:

1. All FM stations will be licensed for unlimited time operation and initially will be required to operate a minimum of six hours per day.
2. No rules or regulations are being adopted at this time concerning program duplication (Commissioner Durr dissenting).
3. No person may own more than one FM station in the same community. No person may own more than one station anywhere except upon proper showing. In no case may he own more than six.

(Continued on next page)

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

4. No rule is being adopted regarding ownership of FM stations by present AM licensees.
5. The chain rules will apply to FM.
6. Sharing of antenna sites will be required, under certain conditions.
7. No rules are being adopted regarding booster stations but applications will be considered on their individual merits.
8. The Commission does not proposed to reserve any FM channels from assignment at the present time (Commissioner Durr dissenting).
9. FM stations will be permitted to transmit simplex facsimile (images only—without the sound) during the hours not required to be devoted to FM aural broadcasting. Provision will be made for experimentation with multiplex transmission of facsimile and the aural broadcast programs.

Instructions will be issued to all FM licensees and applicants in the near future concerning the procedure to be followed in bringing their applications up to date.

The 20 channels from 88 mc. to 92 mc. allocated by the Commission to non-commercial educational broadcasting are not affected by the report issued today. Rules governing that service will be announced later.

Commissioner Durr's dissent in Items 2 and 8, above.

(See Special Allocations Bulletin No. 18.)

FCC AND NAB TO CLOSE SATURDAYS

The Federal Communications Commission amended Section 1.1 of its Rules of Practice and Procedure establishing the working hours of the Commission on the basis of a 5-day week.

Section 1.1 as amended reads as follows:

> "Section 1.1—Offices; hours—The principal office of the Commission shall be located at Washington, D. C., and all communications to it shall be addressed to the Secretary, Washington, D. C., unless otherwise specifically directed. The hours of the Commission are from 9:15 a.m. to 5:45 p.m., Monday through Friday, except on legal holidays."

This Saturday closing policy became effective August 28. The action of the Commission in going to the 5-day week is in line with that taken by nearly all the Government Departments in Washington. Consistent therewith, NAB headquarters will go on the 5-day week effective September 1.

Any person desiring to communicate with NAB on Saturdays regarding important matters may wire C. E. Arney, Jr., the Secretary-Treasurer at 2115 P Street, N. W., or call HObart 8825, Apartment 205.

SELECTIVE SERVICE PROCEDURE REVISED

National Headquarters of Selective Service on Friday (24) announced that the 17 Federal agencies having jurisdiction over employer-supported requests for deferment of registrants under 30 years of age have agreed to termination of the certification plan, which was put into effect in February of this year in order to furnish local boards with the fullest information possible as to the extent of a registrant's value in war production and related activities.

Termination of the plan, effective September 15, results from capitulation of Japan and President Truman's subsequent announcement that monthly inductions are to be materially reduced and that the inductions will be confined to registrants 18 through 25 except volunteers. As result, National Headquarters pointed out, there remain relatively few registrants whose deferment requests require supporting certification.

National Headquarters said, however, that a Federal Government agency may still file written information in support of the case of any registrant in an activity in which it is interested, even though the formal certification procedure has been abandoned.

It was announced that employers will be required to submit, prior to September 15, new deferment requests for any registrants for whom they desire renewal of deferment. These requests are to be made by the employer on the same form as previously used and filed with the local boards without certification.

So far as broadcasters are concerned, this means that applications for certification of requests for occupational deferment need no longer be made to the War Production Board. Attention is also called to the requirement that deferment requests for any registrants for whom renewal of deferments is desired must be filed by September 15.

OPERATORS LICENSE PERIOD EXTENDED

Commercial radio operator licenses who have not been able to file renewal of their licenses due to their service abroad, either in the armed forces or in Maritime Service, have been granted the right by the Commission to file application for renewal as late as June 30, 1946. The order of the Commission, issued Tuesday, August 28, reads in part as follows:

It Is Ordered, That any application filed or mailed not later than June 30, 1946, for renewal of a commercial radio operator license (other than Temporary Emergency Radiotelegraph Second Class Operator Licenses) which was valid on December 7, 1941, and has expired by its own terms without having been cancelled or suspended, may, until the further order of the Commission, be acted upon, notwithstanding the provisions of Rule 13.11 if a statement is filed as a part of the renewal application showing that

(1) the applicant is serving in the armed forces of the United States or has been honorably discharged therefrom since December 7, 1941; or
(2) the applicant is serving in the United States Maritime Service or has voluntarily left that Service since December 7, 1941; or
(3) the applicant is or has been employed outside the continental United States and has been unable to file timely application for renewal of license because of such employment outside the continental United States.

RETAIL ADVERTISING BULLETIN PLANNED

A special bulletin is now being planned for mailing next week which will contain some interesting material on the methods and results from the use of radio by two

(Continued on next page)

of the nation's top flight department stores. This bulletin will make splendid sales ammunition for many stations. Watch for it!

RADIO
1920-1945
XXV

BYRON PRICE, LT. COL. FRANK PELLEGRIN SPEECHES FOR JAYCEE RADIO WEEK IN SPECIAL BULLETIN

Special Twenty-Fifth Anniveasary Bulletin No. 18, with this issue of REPORTS, carries two speeches which are a significant contribution to the theme of Jaycee Radio Week, "Freedom of Speech."

A final roundup of station plans for observance of the week is included, taken from postcards which were still coming in up to press time for the Bulletin, Wednesday afternoon.

The postcard survey was instrumental in gauging the development of the Week and in some cases expanding its observance. NAB hopes that stations and networks will now file more comprehensive reports of their activities for a permanent headquarters record of the event. This is requested in the Bulletin.

Byron Price, Director of the Office of Censorship, who was the same day appointed Special Representative of President Truman to go to Germany, addressed the Washington Junior Chamber of Commerce of Washington, D. C., Thursday, August 30. His address was picked up by WOL and the Mutual network, 1:15-1:30 p. m., Washington time.

Lt. Col. Frank E. Pellegrin, Army Ground Forces, War Department Bureau of Public Relations, and former Director of the NAB Department of Broadcast Advertising, spoke before the Indianapolis Junior Chamber of Commerce, Wednesday, August 29, being picked up by WISH, where he was also interviewed in a special broadcast later in the day.

RYAN COMMENDS PRICE

In a letter dated August 29, addressed to Byron Price, Director of Censorship, J. Harold Ryan, NAB president, expressed his warm appreciation, and that of NAB and the industry, for Mr. Price's "exceptional service in behalf of all of us," in administering the difficult and trying affairs of Censorship.

Mr. Ryan's letter is in answer to one received by him from Mr. Price (NAB REPORTS, vol. 13, p. 369), dated August 21, in which Mr. Price commends the support given to voluntary censorship by broadcasters.

Broadcasters join in adding their well wishes to Mr. Price, as expressed in Ryan's letter, which follows in full:

"Your gracious note of August 21 has been received and has not only been communicated to the staff at the National Association of Broadcasters but has been carried in the NAB REPORTS of August 24. I am enclosing a copy of this issue of the REPORTS, thinking that you would like to see how we handled this very greatly appreciated expression on your part.

"The close of the war, which brings with it so much happiness for the American people, at the same time is going to deprive them of your services in wartime Washington. I know, however, how eagerly you have looked forward to returning to your regular work, and it is the hope of all of us in broadcasting—the staff members of the NAB, its Directors, and the radio stations of the country—that the future will hold for you those rewards which you have so richly deserved by exceptional service in behalf of all of us."

RYAN RESPONDS TO COAST GUARD

Answering a letter (NAB REPORTS, vol. 13, p. 370) received from Commodore Ellis Reed-Hill, Chief, Public Information Division, USCG, J. Harold Ryan, NAB president, on August 29 sent the following reply:

"May I, on behalf of the National Association of Broadcasters and of all the broadcasting stations in the country, express to you our gratitude for your letter of the 13th of August.

"You may be sure that it has been an appreciated opportunity for all broadcasting stations to have cooperated in the celebration of the 155th anniversary of the founding of the United States Coast Guard. Whatever we have been able to do collectively and unitedly is a part of the service that we so cheerfully render to the American people.

"We carried a copy of your letter in our NAB REPORTS of August 24, 1945, and I think you will be interested in seeing a copy of this issue, which is enclosed herewith."

Mr. Reed-Hill's letter, mentioned above by Ryan, expressed thanks, on behalf of the officers and enlisted men in the Coast Guard, to "the entire radio broadcasting industry for its public-spirited assistance and cooperation," in furthering the observance of the 155th anniversary of the U. S. Coast Guard.

RADIO NEWS COMMITTEE TO MEET IN CHICAGO

The radio news committee of the National Association of Broadcasters will meet in Chicago, at the Palmer House, Monday, September 17. Call for the meeting was issued this week by E. R. Vadeboncoeur, WSYR, Syracuse, committee chairman.

COUNCIL ON RADIO JOURNALISM MEETS SEPTEMBER 18

The Council on Radio Journalism, sponsored by the National Association of Broadcasters and the American Association of Schools and Departments of Journalism, has scheduled its fall meeting for September 18, Palmer House, Chicago. Five members of the Council are broadcasters: five are educators. Fred S. Seibert, director, school of journalism, Universtiy of Illinois, is Council chairman.

MORE "HOMETOWN MUSIC" SHIPPED AFRS

Cooperating stations are solidly behind the "Music from Your Hometown" series. Since last week, NAB has been notified of three additional shipments of local recordings. AFRS advises that the quality of ETS received is good and that programs will soon be heard by our overseas personnel.

WSM—Nashville

Word from General Manager Harry Stone, WSM, reports first shipment of "Music from Your Hometown" ETS . . . Francis Craig's orchestra. Handled by Ottis Devine.

(Continued on next page)

KSTP—St. Paul-Minneapolis

Stanley E. Hubbard, president, KSTP, shipped the first set of quarter-hour programs on August 27—the Hotel Nicollet orchestra with Paul Williams. Brooks Henderson, KSTP production supervisor, directed production.

KOMA—Oklahoma City

Bill Bryan, KOMA, director of programs and news, has completed two sets of "Music from Your Hometown" programs. He plans on finishing the assignment before the middle of September.

"LET'S GO TO TOWN" SHOWS ON THE UP

Station managers continue to respond to the request of Armed Forces Radio Service, as relayed by NAB, for more "Let's Go to Town" programs. This week we are able to report one completion and five new shows for overseas personnel.

Other managers are urged to volunteer to produce one of these hometown shows for global broadcast to our millions of fighting men scattered throughout the world.

Shipment by KOMA

Task Force Commander Kenyon Brown, KOMA, Oklahoma City, shipped his "Let's Go to Town" production August 23.

WMBD—Peoria

Brooks Watson, program director, WMBD, Peoria, yesterday volunteered to produce a second "Let's Go to Town." "The first was such a success," he wrote, "that WMBD will be glad to do another show now that we understand they are so urgently required."

WSPD—Toledo

Task Force Commander E. Y. Flanigan, WSPD, Toledo, and his staff are engaged in producing a second "Let's Go to Town" program. The first was lost in transit.

WTRY—Troy

Task Force Commander Woodbury Carter, WTRY, Troy, is engaged in producing the second "Let's Go to Town" show from the Troy Area. The first was an outstanding hit with overseas personnel.

WIBX—Utica

Elliott Stewart, executive vice president, WIBX, Utica, has responded to the request for a Utica show. In his letter of August 27 he said: "The broadcast industry has indeed some unfinished business for the direct benefit of our men in the armed services who will be overseas for many months to come. Since that business is the continued production of 'Let's Go to Town' programs, originally requested by General Eisenhower for all theatres of operation in our far-flung outposts, we at WIBX want to be a part of that 'business.'"

KBUR—Burlington, Ia.

General Manager G. B. McDermott, KBUR, Burlington, has accepted the responsibility for a Burlington "Let's Go to Town" program. "Count us in with both feet," said "Mac." "We know we can produce a home town show that the GI's will like."

PROFESSOR TUCKER IS STUDYING AT WGAR

WGAR, Cleveland, is the eighth station which is giving practical radio newsroom experience to journalism teachers. "Professor of Internship" is Ralph Worden, WGAR news director.

The interne is Associate Professor Willis C. Tucker, University of Kentucky, Lexington. Professor Tucker has a solid background of practical newspaper experience which is helping him at WGAR. The "know how" that he acquires from Mr. Worden and the WGAR newsroom staff will be reflected in his classroom this autumn.

In providing the opportunity for an outstanding university teacher to acquire practical experience, WGAR is cooperating with the Council on Radio Journalism. This is sponsored jointly by the National Association of Broadcasters and the American Association of Schools and Departments of Journalism.

EATOUGH TO KMBC

Kansas City, Mo.—Sam H. Bennett, vice-president in charge of sales for the Midland Broadcasting Company (KMBC), announces that Charles Eatough, since 1942 representative of The Katz Agency, Inc., joins KMBC in charge of regional sales, October 1.

Mr. Eatough replaces Miller C. Robertson who has served the Kansas City station in a like capacity as assistant sales director since 1940. Mr. Robertson was recently appointed sales manager for KSTP, St. Paul.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, September 3. It is subject to change.

Wednesday, September 5

KID—KID Broadcasting Company (Assignor), Idaho Radio Corporation (Assignee), Idaho Falls, Idaho.—Voluntary assignment of license. **1350 kc.**, 500 watts, night; 5 KW, day; unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WSTN—Charles P. Blackley, Staunton, Va.—Granted modification of construction permit, which authorized a new station, for changes in transmitting equipment and antenna, and approval of studio location at Morrison Bldg., corner of W. Beverly and Church Sts., Staunton. The permittee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations conditions.

WLEE—Thomas Garland Tinsley, Jr., Richmond, Va.—Granted modification of construction permit, which authorized a new station, for installation of new vertical antenna, change in transmitter location to Southampton and Colo. Ave., Richmond, and extension of commencement and completion dates from 7-1-45 and 1-1-46 to 30 days after grant and 60 days thereafter, respectively.

WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Granted authority to determine operating power by direct measurement of antenna power.

(Continued on next page)

WJYK—Findlay Radio Co., Area of Findlay, Ohio.—Granted license to cover construction permit authorizing new relay broadcast station to be used with standard station WFIN; frequencies **30.82, 33.74, 35.82, 37.98 mcs.;** 25 watts.

Textile Broadcasting Co., Portable, area of Greenville, S. C.—Granted construction permit for new relay broadcast station to be used with standard station WMRC; frequencies **33.38, 35.02, 37.62** and **39.82 mcs.,** 2 watts.

KAZA—WKY Radiophone Co., Area of Oklahoma City, Okla.—Granted license to cover construction permit which authorized change in transmitter site of relay station from W. of Oklahoma City on U. S. Highway 66, to Portable, area of Oklahoma City, and change antenna.

WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Granted construction permit to make changes in transmitting equipment.

W9XEV—Evansville on the Air, Inc., Glenwood, Ind.—Granted modification of construction permit which authorized a new developmental broadcast station, for extension of completion date to 11-19-45.

W9XK—The Journal Co. (The Milwaukee Journal), Richfield, Wis.—Granted license to cover construction permit which authorized a new developmental broadcast station; frequencies that may be assigned from time to time by the Commission's chief engineer; power to be assigned from time to time by Commission's chief engineer. The license is granted upon an experimental basis only; conditions.

W3XMB—Maryland Broadcasting Co., Baltimore, Md.—Granted license to cover construction permit which authorized a new developmental broadcast station; frequencies to be assigned by Commission's chief engineer from time to time; power 1 KW. The license is granted upon an experimental basis only, conditions.

W4XFM—Voice of Alabama, Inc., Birmingham, Ala.—Granted license to cover construction permit as modified, authorizing new developmental broadcast station; frequencies to be assigned by the Commission's chief engineer from time to time; power 1 KW. The license is granted upon an experimental basis only, conditions.

W3XCT—WAPO Broadcasting Service, Nr. Chattanooga, Ga.—Granted license to cover construction permit authorizing a new developmental broadcast station; frequencies that may be assigned by the Commission's chief engineer from time to time; power 1 KW. The license is granted upon an experimental basis only, conditions.

WABW—Associated Broadcasters, Inc., Indianapolis, Ind.—Granted modification of construction permit authorizing a new FM station, for extension of completion date to 11-1-45.

Georgia-Alabama Broadcasting Corp., Columbus, Ga.—Retained in the pending files amended application for new FM broadcast station.

The following stations were granted renewal of licenses for the period ending August 1, 1947:

KOKO, La Junta, Colo.; WELL, Battle Creek, Mich.; WHUB, Cookeville, Tenn.; KTEM, Temple, Texas, and WBTM, Danville, Va.

WLBJ—Bowling Green Broadcasting Co., Inc., Bowling Green, Ky.—Granted renewal of license for the period ending February 1, 1947.

W2XWE—WOKO, Inc., Albany, N. Y.—License for facsimile broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending November 30, 1945.

LICENSE RENEWALS

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon applications for renewal of licenses, for the period ending November 1, 1945:

KPMC, Bakersfield, Cal.; KRLD, Dallas, Texas; KVOO, Tulsa, Okla.; WBAL and auxiliary, Baltimore; WBT, Charlotte, N. C.; WDGY, Minneapolis, Minn.; WDZ, Tuscola, Ill.; WFTC, Kinston, N. C.; WHAM, main and auxiliary, Rochester, N. Y.; WINS and auxiliary, New York City; WLIB and auxiliary, Brooklyn; WSKB, McComb, Miss.; WWVA, Wheeling, W. Va.

KOZY—Everett L. Dillard, tr/as Commercial Radio Eqpt. Co., Kansas City, Mo.—Granted renewal of FM broadcast station licenses for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WQXQ—Interstate Broadcasting Co., Inc., New York, N. Y.—Granted renewal of FM broadcast station licenses for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WFMN—Edwin H. Armstrong, Alpine, N. J.—Granted renewal of FM broadcast station licenses for the period ending July 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WNYC-FM—City of New York, Municipal Broadcasting System, New York City.—Granted renewal of FM broadcast station licenses for the period ending July 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WMIT—Gordon Gray, Winston-Salem, N. C.—Granted renewal of FM broadcast station licenses for the period ending July 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WGTR—The Yankee Network, Inc., Boston, Mass.—Granted renewal of FM broadcast station licenses for the period ending July 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WMTW—The Yankee Network, Inc., Boston, Mass.—Granted renewal of FM broadcast station licenses for the period ending July 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

KALW—Board of Education of the San Francisco School Dist., San Francisco, Cal.—Granted renewal of non-commercial educational broadcast station license for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets Nos. 6651 and 6768.

W4XAJ—The Atlanta Journal Co., Area of Atlanta, Ga.—Granted renewal of developmental broadcast station license for the period ending May 1, 1946.

WMLL—Evansville on the Air, Inc., Evansville, Ind.—License for high frequency broadcast station was further extended upon a temporary basis only, for the period ending Nov. 1, 1945, pending determination upon application for renewal and subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WHFM—Stromberg-Carlson Tel. Mfg. Co., Rochester, N. Y.—License for high frequency broadcast station was further extended upon a temporary basis only, for the period ending Nov. 1, 1945, pending determination upon application for renewal and subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

Licenses for the following relay broadcast stations were further extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending November 1, 1945:

WCBE, Col. Broadcasting System, Inc.; KIIH, KFAB Broadcasting Co.; KABE, KAIE, KSTP, Inc.; WNBJ, NBC; KBIC, KBID, KNEF, Radio Service Corp. of Utah; WAIO, WELR, WDZ Broadcasting Co.; WBGM, Westinghouse Radio Stations, Inc.; WAAH, W. Va. Broadcasting Corp.; WMWA, WOKO, Inc.

MISCELLANEOUS

KYA—Palo Alto Radio Station, Inc., San Francisco, Cal.; KFOX—Nichols & Warriner, Inc., Long Beach, Cal.; KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Notified licensees of these stations that the special service authorizations under which each now operates, shall continue to and including Sept. 30, 1945, or earlier termination hereafter designated by the Commission. (These authorizations generally permit point-to-point broadcasting as a public service and without charge of information to longshoremen in the cities wherein the stations are located in accordance with a request of the Pacific Maritime Industry Board.)

St. Olaf College, Northfield, Minn.—Advised the applicant in connection with application to furnish electrical transcriptions and recordings to Station CFQC, Saskatoon, Saskatchewan, Canada, that a formal permit is not required.

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Granted petition to waive construction requirements under condi-

(Continued on next page)

tional grant of January 4, 1944, and extended the time to January 1, 1946.

KID—KID Broadcasting Co. (Assignor), Idaho Radio Corp. (Assignee), Idaho Falls, Idaho.—Granted motion to take depositions in re application for Voluntary Assignment of License, scheduled for hearing on September 5, 1945.

George H. Thomas, James J. Davidson, Jr., & Daniel H. Castille, a Partnership, d/b as The New Iberia Broadcasting Co., New Iberia, La.—Granted motion for continuance of hearing now scheduled for August 30, on application for a new station, and continued same to October 1, 1945.

APPLICATIONS FILED AT FCC

650 Kilocycles

NEW—The New Mexico Publishing Co., Santa Fe, N. M. (P. O. ℅ C. B. Floyd, Vice-Pres., 202 E. Marcy St.)—Construction permit for a new standard broadcast station to be operated on **550 kc.**, with power of 1 KW, employing directional antenna day and night, and unlimited hours of operation.

680 Kilocycles

WLAW—Hidreth and Rogers Co., Lawrence, Mass.—Construction permit to increase power from 5 KW to 50 KW, install new transmitter, make changes in directional antenna for day and night use and change transmitter location from Andover, Mass., to Burlington, Mass.

760 Kilocycles

WJR—WJR, The Goodwill Station, Detroit, Mich.—Modification of license to change corporate name to WJR, The Goodwill Station, Inc.

790 Kilocycles

KVOS—KVOS, Inc., Bellingham, Wash.—Construction permit to increase power from 250 watts to 1 KW, install new transmitter and directional antenna for day and night use, and change transmitter location.

KFQD—Wm. J. Wagner, tr/as Alaska Broadcasting Co., Anchorage, Alaska.—Construction permit to install new vertical antenna and move transmitter.

910 Kilocycles

WABI—Community Broadcasting Service, Bangor, Maine.—Construction permit to increase power from 1 KW to 5 KW, employing directional antenna night, and make changes in transmitting equipment.

940 Kilocycles

NEW—Midwest Broadcasting Co., Mt. Vernon, Ill. (P. O. 107½ S. 10th St.)—Construction permit for a new standard broadcast station to be operated on **940 kc.**, with power of 500 watts, and daytime hours of operation.

1030 Kilocycles

KWSC—State College of Washington, Pullman, Wash.—Construction permit to change frequency from **1250 kc.** to **1030 kc.**, change power from 5 KW, day and night, to 5 KW day and 1 KW night, and change hours of operation from sharing time with KTW to unlimited time and make changes in vertical antenna.

1090 Kilocycles

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Construction permit to increase power from 250 watts to 10 KW, install new transmitter and directional antenna for day and night use, and change transmitter location from Seattle, Wash., to Maury (Vashon) Island, Wash.

1110 Kilocycles

KPAS—Pacific Coast Broadcasting Co., Pasadena, Cal.—Construction permit to change frequency from **1110** to **750 kc.**, and make changes in directional antenna for day and night use.

1170 Kilocycles

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Construction permit to install new directional antenna for night use.

1180 Kilocycles

WLDS—Hobart Stephenson, Milton Edge and Edgar J. Korsmeyer, d/b as Stephenson, Edge and Korsmeyer, Jacksonville, Ill.—Voluntary assignment of license to Milton Edge and Edgar J. Korsmeyer, d/b as Edge and Korsmeyer.

1210 Kilocycles

NEW—Hobart Stephenson, Centralia, Ill. (528 Rosedale, Jacksonville, Ill.)—Construction permit for a new standard broadcast station to be operated on **1210 kc.**, with power of 1 KW, and daytime hours of operation.

1220 Kilocycles

WGAR—WGAR Broadcasting Co., Cleveland, Ohio.—Construction permit to increase power from 5 KW to 50 KW, install new transmitter and new directional antenna for day and night use.

1230 Kilocycles

KGAK—Albert E. Buck & Merle H. Tucker, a partnership, d/b as Rio Grande Broadcasting Co., Gallup, N. Mex.—Modification of construction permit (B5-P-3862, which authorized a new standard broadcast station) for approval of antenna, transmitter and studio locations, and to change name of partnership to Albert E. Buck and Merle H. Tucker, a partnership, d/b as Gallup Broadcasting Co.

WHTB—Voice of Talladega, Inc., Talladega, Ala.—License to cover construction permit (B3-P-3726, as modified, which authorized a new standard broadcast station).

WHTB—Voice of Talladega, Inc., Talladega, Ala.—Authority to determine operating power by direct measurement of antenna power.

WCMA—The Corinth Broadcasting Co., Inc., Corinth, Miss.—Modification of construction permit (B3-P-3858, which authorized a new standard broadcast station, for change in type of transmitter, approval of antenna and transmitter site, and to specify studio location).

1300 Kilocycles

KVOR—Out West Broadcasting Co., Colorado Springs, Colo.—Authority to determine operating power by direct measurement of antenna power.

1340 Kilocycles

WEBR—WEBR, Inc., Buffalo, N. Y.—Construction permit to change frequency from **1340** to **970 kc.**, increase power from 250 watts to 5 KW, install new transmitter and directional antenna for day and night use, and change transmitter location from Buffalo, N. Y., to Hamburg Township, N. Y.

NEW—Robeson Broadcasting Corp., Lumberton, N. C. (P. O. 120-122 W. 5th St.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, with power of 250 watts, and unlimited hours of operation.

KPKW—Western Radio Corporation, Pasco, Wash.—License to cover construction permit (B5-P-3587 as modified) which authorized construction of a new standard broadcast station.

KPKW—Western Radio Corporation, Pasco, Wash.—Authority to determine operating power by direct measurement of antenna power.

1450 Kilocycles

NEW—Lowell F. Arterburn, tr/as Athens Broadcasting Co., Athens, Tenn. (P. O. 37 N. Jackson St.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unlimited hours of operation.

NEW—Dairyland's Broadcasting Service, Inc., Marshfield, Wis. (P. O. 207 S. Central Ave.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unlimited hours of operation.

(Continued on next page)

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Construction permit to install new antenna and ground system.

1480 Kilocycles

WHBC—The Ohio Broadcasting Co., Canton, Ohio.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter, make changes in directional antenna for night use and change transmitter location.

1490 Kilocycles

NEW—The Covington News, Inc., Covington, Ga. (P. O. 112-122 Pace St.)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, with power of 250 watts, and unlimited hours of operation.

1500 Kilocycles

NEW—San Jose Broadcasting Co., San Jose, Calif. (P. O. 266 S. First St.)—Construction permit for a new standard broadcast station to be operated on **1500 kc.**, with power of 1 KW, employing directional antenna day and night, and unlimited hours of operation.

FM APPLICATIONS

NEW—Herman Radner, Dearborn, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.5 mc.**, or other available frequency, with coverage to be determined. Amended: to change frequency from **49.5 mc.**, or other available frequency, to **45.7 mc.**, specify coverage as 2,620 square miles, and specify transmitter site, type of transmitter, and antenna system.

NEW—Robert F. Wolfe and Margaret Wolfe, a partnership, d/b as Robert F. Wolfe Co., Fremont, Ohio.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.7 mc.** Amended: to specify coverage as 1,455 square miles, and change type of transmitter.

NEW—Guillermo Cortada, Ramon Cortada and George A. Mayoral, New York, N. Y. (P. O. 37-21 85th St., Jackson Heights, L. I., N. Y.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be determined by the Commission following reallocations, with coverage of 8,600 square miles. Amended: to request frequency of **99.9 mc.**, and specify type of transmitter.

NEW—McClatchy Broadcasting Co., Stockton, Calif. (P. O. 911 7th St., Sacramento, Calif.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.1 mc.**, with coverage of 4,120 square miles.

NEW—Alamance Broadcasting Co., Inc., Burlington, N. C. (P. O. 310½ S. Main St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.9 mc.**, with coverage of 6,230 square miles.

NEW—Macon Telegraph Publishing Co., Macon, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46.7 mc.**, with coverage of 12,000 square miles. Amended: recorporate structure.

TELEVISION APPLICATIONS

W2XJT—William B. Still, tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Modification of construction permit (B1-PVB-100, as modified, which authorized a new experimental television broadcast station) to change requested frequency from Channel #13 **(230-236 mc.)** to Channel #13 **(210-216 mc.)**.

NEW—The Evening Star Broadcasting Co., Washington, D. C. (P. O. Evening Star Bldg.)—Construction permit for a new commercial television broadcast station to be operated on Channel #6 **(82-88 mc.)**, with ESR of 1370.

NEW—WCAE, Inc., Pittsburgh, Pa. (P. O. Wm. Penn Hotel, Wm. Penn Way, bet. Oliver & Sixth Sts.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4 **(78-84 mc.)**, with ESR of 1841.

NEW—WGAL, Inc., Lancaster, Pa. (P. O. 8 W. King St., Lancaster, Pa.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4 **(66-72 mc.)**, with ESR of 907.

NEW—Allen B. DuMont Laboratories, Inc., Pittsburgh, Pa. (P. O. 2 Main Ave., Passaic, N. J.)—Construction permit for a new commercial television broadcast station to be operated on Channel #2 **(54-60 mc.)**, with ESR of 3180.

MISCELLANEOUS APPLICATIONS

NEW—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs to Stations CBL and CBM and other stations under the control of the Canadian Broadcasting Corp. for the period beginning 9-15-45.

NEW—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit recorded programs to all broadcast stations under the control of the Canadian authorities that may be heard consistently in the United States for the period beginning 9-15-45.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Colonial Bead Co., Inc.—A complaint has been issued charging Colonial Bead Co., Inc., 1 East 33rd Street, New York, and its officers, Abraham Abramovitz and Abraham Goldenberg, with unfair and deceptive practices in selling imitation pearl necklaces and other jewelry without marking the articles so as to indicate their foreign origin. (5371)

Paebar Company, Inc., 1819 Broadway, New York, and Alan F. Pater are charged in a complaint issued with misrepresentation in connection with the sale of books entitled "Who's Who in Poetry in America" and "We, the People," the latter a so-called year book of public opinion. Pater, who is the principal stockholder of the respondent corporation and exercises personal control over its business, trades as Who's Who Publishing Company, The Paebar Company, Literary Publications, Columbia Book Publishing Company and Judicial Publishing Company. (5369)

Robert Rossoff—A complaint alleging violation of the brokerage section of the Robinson-Patman Act has been issued against Robert Rossoff, 370 Seventh Avenue, New York, who operates as Rochelle Fur Company and is engaged in the interstate purchase of furs and fur garments for himself and for others for resale. (5370)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

General Diaries, Inc., 145 W. 41st St., New York, and its president, Albert A. Friedman, trading as General Diaries, have been ordered to cease and desist from misrepresentation in connection with the sale of an appointment book designated "Dial," intended for use of doctors, dentists and other professional people. (5002)

(Continued on next page)

Benjamin Goldman, 1643 Bathgate Avenue, New York, has been ordered to discontinue misrepresenting the origin and constituent fiber or material of certain knitting yarns he sells in interstate commerce. The respondent trades as Tiger Yarn Co., Minnette Yarn Co., Bengo Yarn Shop, and Goldman's Yarn Shop. (5077)

Liberty Chemical Co., 1813 18th St., N. W., Washington, D. C., has been ordered to cease and desist from disseminating advertisements which represent that the medicinal preparation she sells under the name "Liberty Nasal Cream" will prevent colds or influenza or the development in the nose and throat of organisms causing colds or influenza. (4869)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Alpha-Craft, Inc.—A stipulation to discontinue certain representations in connection with the sale of jewelry has been entered into by Alpha-Craft, Inc., 303 Fifth Avenue, New York. Louis G. Myers, active in the promotion of the business, and Roy Dumont, an employee of the corporation, also signed the stipulation. (4099)

Schachter & Schreck, 1178 Broadway, New York, engaged in manufacturing and assembling women's umbrellas, stipulated that they will cease and desist from offering for sale or selling umbrellas the coverings of which are made of or contain rayon, without clearly and unequivocally disclosing in their labels, invoices and advertising matter that such covering material is rayon. (4098)

FTC CASE DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Eastern Wine Corp., Bronx Terminal Market Building, Bronx, New York, with making "tie-in" sales of wine to retail dealers. The complaint alleged that the corporation, in violation of the Federal Trade Commission Act, had refused to sell still wines to retailers unless they purchased a like or stipulated quantity of sparkling wines.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 36, September 7, 1945

BOARD TO MEET MILLER TO ASSUME PRESIDENCY

The NAB Board of Directors will hold a regular meeting at the Hotel Statler in Washington on Monday and Tuesday, October 1 and 2. They will then greet Justin Miller as their new President. Although he attended several sessions of the Board meeting held in Washington on August 6 and 7, he took no part in the deliberations.

On the evening of October 2 the board will attend an inaugural dinner honoring President Miller. To this, invitations will be sent next week to all the members of Congress, high government administrative officials, ranking military leaders, the heads of many trade associations, newspapers, and past presidents of NAB. Due to space limitations in the Presidential Room, it was necessary to limit the number of broadcasters to be invited.

The committee in charge has asked each District Director to designate three members from his District, one representing a large, one a medium, and one a small station. Limitations of invitations were likewise placed upon networks and local radio stations.

The toastmaster has not yet been selected, nor has the program been fully completed. In addition to the inaugural address by Justin Miller, retiring President J. Harold Ryan will speak. The entire Board will attend.

"DAYLIGHT SAVING" REPEAL ADVOCATED

On the first day of the reconvening of Congress, nine Resolutions were introduced in the House of Representatives for the repeal of Daylight Saving Time. Several of the bills would establish the last Sunday of September as the date for return to Standard Time. This date is in line with the NAB recommendation assuming Daylight Saving Time is to be abolished.

One of the resolutions, namely H. R. 3930 introduced by Hon. Ross Rizley (R) Oklahoma, goes beyond mere repeal of the Daylight Saving Clause of the law and would "establish standard time for the continental United States."

The other eight proposals would simply restore standard time practice existing before the War.

All the proposals have been referred to the House Committee on Interstate and Foreign Commerce of which Hon. Clarence F. Lea (D) California, is Chairman.

OWI ALLOCATIONS AND CLEARANCES END SEPTEMBER 15

An announcement from the Office of War Information states that all local allocation and clearing functions of that agency will terminate Sept. 15.

Activities of the 13 OWI district offices will likewise cease on that date. Although OWI officials inform NAB that these offices will be open for approximately 30 days beyond the Sept. 15 operational deadline, this will be only for the purpose of winding up their affairs in final liquidation.

BROADCASTERS ETO TOUR ENDS

The party of broadcasters headed by NAB President-elect Justin Miller which has been touring the European Theater of Operations under the auspices of the War Department, is scheduled to leave Paris today (7) and will arrive at Washington and New York on Saturday evening.

The party included, in addition to President-elect Miller, the following broadcasters: Martin Campbell, WFAA; John E. Fetzer, WKZO; Clair R. McCollough, WGAL; J. Leonard Reinsch, WSB, WIOD, WHIO; M. S. Novic, WNYC; William S. Hedges, NBC; Joseph H. Ream, CBS; Mark Woods, ABC; and Robert Sweazey, MBS. Col. Ed Kirby, Chief, Radio Branch, Public Relations Division of the War Department, acted as military liaison officer to the group. Also included were Sol Taishoff of "Broadcasting," Abel Green of "Variety," Jack Alicoate of "Radio Daily," and Joe Csida of "Billboard."

NEW SET PRODUCTION AT STANDSTILL

Despite OPA's announced increase of ceiling prices for original equipment tubes and parts, manufacture of household receivers is still at a standstill.

The trade describes the situation as a complete tie-up. Suppliers won't accept original equipment orders for tubes and parts because they are reluctant to take the business at a loss.

An RMA parts committee—OPA meeting is scheduled for mid-September. Whether a deal can be worked out is anybody's guess.

Meanwhile the production of replacement parts and tubes is stimulated because the price schedule here permits the parts-and-tubes makers to make and sell at a profit. Net result of the tangle, however, is that employment by set manufacturing establishments continues to decrease, and consumers are just as far from new sets as before.

KOIN RADIO SCHOOL OUTSTANDING SUCCESS

Portland, Ore.—KOIN President C. W. Myers announces that the success of the three-week 1945 KOIN Institute for the Study of Radio exceeded the fondest expectations of the station's hardworking staff, and that everybody, staff and students, came through smiling with pleasure, tinged with regret that it had to end so soon.

"A most outstanding contribution to the educational development of the Portland schools," was the critical appraisal given the 1944 KOIN Radio Institute for Teachers by Willard B. Spalding, superintendent of public schools. "This was the first time in the nation," said Dr. Spalding, "that such a workshop was conducted by a radio station for its school system."

In the words of one teacher summing up her first day at KOIN's Institute a year ago: "You've jarred me out of my rut. Now, darn you, what are you going to do about it?"

Scholarly, soft-spoken Luke L. Roberts, KOIN director

(Continued on next page)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

of education, had the right answer: a school to teach radio to teachers.

Again this year, the Institute was successful because of a remarkable faculty, the complete cooperation of the Oregon State System of Higher Education, the Portland Public Schools and a hard-working KOIN staff. Result was that the teachers "caught hold" in a big way.

Typical of those attending was Alice Smith, Girls' Polytechnic teacher and president of the Oregon chapter, Association for Education by Radio.

With some 200 other Oregon schoolteachers Alice Smith was exposed to the radio bug during the three-weeks KOIN Institute for the Study of Radio June 11-29.

She found herself sitting as a student before a faculty of 12 of radio's top-drawer specialists brought to Portland from as far away as New York, Chicago, Detroit, Columbus and Hollywood.

But it wasn't all sit-and-listen to lectures. To complete her course for university credits, Alice had to write radio, produce radio, act radio, criticize radio.

Sessions lasted a full day and were divided into lectures, discussion panels, workshop periods and on-the-spot broadcasts. Paying for their own meals was the only expense for Institute-goers. KOIN footed the bill otherwise, and loaned its own staff and equipment.

Alice has no desire to give up teaching for a career behind the microphone—but for going through the Institute she did gain a solid respect for radio as a social force. Equally significant, she acquired the "know how" for rightly utilizing radio in the classroom.

Reaction of teachers was expressed by one of Alice's classmates: "I've been a schoolteacher for 33 years. This is the most inspirational thing that ever happened to me."

FCC ANNOUNCES FM PROCESSING POLICY

The Federal Communications Commission on Tuesday (4) issued a public notice setting forth the policy to be followed for processing FM applications. The notice follows:

Moving toward an expeditious processing of the large number of applications on file for new FM broadcast stations throughout the United States, and to effect procedures for shifting of existing FM stations to be new band of frequencies (92-108 mc.) assigned to this service, the Federal Communications Commission today announced that it was sending letters to present holders of licenses and of construction permits and to pending applicants for new FM stations. The Commission announced that procedures relating to television, and developmental and noncommercial educational FM stations would be announced at an early date.

Three types of letters are being sent to FM licensees, permittees and applicants as follows:

1. *Existing licensees*, 46 in number, are being placed on notice that the Commission proposes to shortly issue to each an authorization for a specific operating assignment in the new band, and that equipment tests shall commence no later than December 1, 1945, and regular program service by January 1, 1946. The Commission recognizes that equipment may not be presently available for operation with the radiated power specified. Accordingly, licensees will be permitted to operate with less power until such time as materials and equipment are obtainable. Moreover, until such time as it appears that receivers for the new band are generally available to the public and owners of existing receivers have had the opportunity to adapt or convert them to the new band, licensees will also be permitted to continue operation on their existing assignment in the old band. However, when receivers and converters are available for the upper frequencies, dual operation will be terminated.

2. *Present holders of outstanding construction permits*, 7 in number, are being asked to file current financial and ownership data. After the receipt of such information, the Commission will issue to each permittee a modification of his construction permit for a specific operating assignment in the new band which will require that equipment tests commence no later than January 1, 1946, and regular program service by February 1, 1946. The Commission recognizes that equipment may not be presently available for operation with the radiated power specified in these modified construction permits. Accordingly, operation will be permitted with less power until such time as materials and equipment are available.

3. *Other applicants.*—Pending applicants for new FM stations—approximately 500 in number—and persons who intend to file applications are asked to file their applications or bring them up to date as soon as possible before October 7, 1945. This will enable the Commission, after October 7, 1945, to make as many grants as would be consistent with the availability of frequencies and other public interest factors. Recognizing the difficulty that applicants may have in submitting complete engineering information by such date, the Commission's procedure contemplates the granting of a substantial number of FM applications conditionally subject to the filing of such data at a later time.

TEXAS RADIO AIDS PAPERS

San Antonio, Texas.—Newspaper strikes which started some time ago in New York and have been spreading southwest reached San Antonio on August 26. Local radio stations aided the press in San Antonio in much the same manner that the stations of other cities came to the rescue of this allied medium of news dissemination. Augmenting an already heavy schedule of news broadcasts, additional programs were put on the air to provide heavier local news. Resumes of special features, comics, and other regular offerings of the suspended publications were aired.

WOWO PINCH-HITS FOR PAPERS

Fort Wayne, Indiana.—Radio again went to bat for strikebound newspaper when V-J Day found this city without newspaper service.

WOWO printed and distributed 35,000 copies of a special public service news bulletin which contained President Truman's statement of victory, other important headlines of the day, and a statement by Mayor Harry W. Baals. A listing of WOWO programs of special interest was also carried.

Distribution was handled by newspaper boys, and airplanes which showered them over the Fort Wayne area. Novelty of the situation created a demand for many hundreds of extra copies.

RADIO FIGHTS TEXAS HURRICANE

Corpus Christi, Tex.—Radio has risen again to an emergency situation, this time catapulted upon the east coast of Texas by a severe tropical hurricane. All stations in the area were on the alert, constantly broadcasting warnings which were furnished by the New Orleans weather bureau.

Broadcasters in Corpus Christi, San Antonio and Houston kept a constant stream of hurricane warnings and weather information reports flowing into the homes of those in the area struck by the tropical disturbance. In Corpus Christi, evacuation of families from the lowlands was directed by radio in a warning from the local disaster and relief committee.

Telephone calls swamped the operators at stations. Anxious residents relied almost completely upon radio for information. Heavy telephone traffic into the stations continued even after the storm, with Texans asking for information about relatives in nearby towns, extent of damage done and where relief materials might be obtained. Property loss was held to a minimum.

SHIP MORE "HOMETOWN MUSIC" SHOWS

More "Music from Your Hometown" programs have been produced for Armed Forces Radio Service during the week ending today.

KOIN—Portland

According to Bill Mears, assistant production manager, KOIN, Portland, the station shipped its second "Music from Your Hometown" show on August 31.

KONO—San Antonio

Letter from Stanley A. Cox, program director, KONO, San Antonio, says that three "Music from Your Hometown" programs were shipped to Armed Forces Radio Service on August 28.

WWJ—Detroit

Dan DeGroot, program manager, WWJ, Detroit, on September 4, air-expressed masters of two "Music from Your Hometown" programs to AFRS. Programs were done by Tony Pastor and his orchestra from Eastwood Gardens. Next two shows planned by Mr. DeGroot will be the orchestra from the Palm Beach Cafe, Detroit.

"RADIO MUST GROW UP," SAYS PAUL PORTER IN OCTOBER AMERICAN MAGAZINE

Paul Porter, Chairman of the Federal Communications Commission, writes for the October issue of *American Magazine*, now on sale, in an article entitled "Radio Must Grow Up."

NAB obtained special reprints of the article and one is enclosed with this issue of Reports.

STATION REPORTS ON JAYCEE RADIO WEEK COMING IN

Following publication of the request in last week's Jaycee Radio Week Bulletin for detailed reports of station participation in the observance, August 26 to September 1, the mail has been heavy with material which will provide industry files at NAB headquarters with an impressive record of the success of this undertaking.

Letters outlining station and Jaycee activities, scripts, clippings, texts of speeches, photographs, schedules and titles of programs, all are coming in to fill the permanent file.

It is hoped that every station which participated in Jaycee Radio Week will provide NAB headquarters with this material, which will be of lasting value to the industry. Please address Willard D. Egolf, Director of Public Relations, National Association of Broadcasters, 1760 N Street, N. W., Washington 6, D. C.

ARNOUX ADDRESSES RICHMOND JAYCEE

Campbell Arnoux, NAB Director for the 4th District, was the speaker at the meeting of the Richmond Junior Chamber of Commerce on Tuesday (4). The title of his talk, "Radio and the Press—Guardians of Free Speech," was in keeping with the theme of Radio-Jaycee 25th Anniversary Week. A transcription of the talk was made and was broadcast over all Richmond stations during this week. The full text of the talk follows:

This year, 1945, in the midst of world shaking events, two young and vital forces are reaching maturity. It is an unusual privilege for me to salute you young men of the Richmond Junior Board of Trade as the U. S. Junior Chamber of Commerce and American Radio join in observing their twenty-fifth anniversaries. Your alertness in selecting as a theme, "Freedom of Speech," the one subject that is the very foundation of all progress and good government, speaks well for the future of the country, whose affairs will be increasingly in your hands as the years roll by.

It seems especially significant that this happens at a time when the gains of mankind's oldest crusade, the Fight for Freedom, are again being inspected by a world looking ahead to peace.

Freedom of speech is an inherent demand in the laws of nature. In a state of civilization, the only curb on it should be that imposed by a sense of responsibility for what is spoken or written. The American creed is "Say what you please, *if* it is constructively truthful." In time of war, of course, we must add the precaution of not helping the enemy even with the truth.

The attainment of this high level of freedom has a background of bitter struggle. Heroic sacrifices by great and noble men down through the ages finally found vindication in our American Democracy. Even then this freedom, which is now our priceless heritage, was bitterly contested. It is *still* contested. It *always will be.* We recognize this, and face it, mindful of the warning voiced by John Philpot Curran in Dublin, back in 1808. Said Mr. Curran: "*Eternal Vigilance is the Price of Liberty.*" That vigilance shall not be relaxed.

The Press has long defended the sacred right of the people to have full knowledge of the affairs of this Government; a Government of, by, and for the people. Continued existence of this sacred right offers a Golden Rule for progress, and better living. To the press goes our warm and heartfelt appreciation.

Now, radio has added the ears of the Nation to the eyes served by the press.

Byron Price, Director of Censorship, along with many others, occasionally casts an anxious eye toward radio. Mr. Price left a top-flight executive position with the Associated Press soon after America's entry into the war to assume the tremendous task involved in directing the critical operations of the Censorship office. That it was a labor of love is well known to all broadcasters and editors who, without exception, vindicated Mr. Price's trust in them by maintaining a voluntary censorship. War time and censorship always bring to Freedom of Speech its greatest threat. To the everlasting credit of Censorship under Mr. Price, and to the radio and press and the American people, Free Speech in America is as uninhibited now, after the war, as it was before the war. Freedom of Speech simply took time out and went to war with the rest of the Nation. Now it's back, in glowing health.

There, my friends, you have the answer to the questions of any doubting Thomas as to whether the American system of *Free-Speech-with-Responsibility* works. Isn't it a magnificent answer to dictatorships and gestapos, to government-controlled radio and government-operated press?

(Continued on next page)

Put a man on his honor and you've got something. Put him under constant suspicion and surveillance, and you've certainly got something else again.

You've got something by the tail that you don't want.

I quote from an address by Mr. Price before the Junior Chamber of Commerce on the occasion of a Jaycee Radio Week luncheon, in Washington, on August 30. In concluding his address, in which he reviewed the wartime activities of Censorship, Mr. Price made the following very significant statement:

> ". . . I am aware, of course, that all dangers to free speech do not result from wartime restrictions. Many broadcasters are apprehensive that governmental peacetime regulations may go beyond the necessities of physical control. It is fitting and in the tradition of a nation devoted to free speech that the broadcasting industry should speak its convictions on that subject and should not surrender to a complex of inferiority. Nor is there any plainer lesson in the history of free expression than this: Unless a free press does what it can to support freedom of radio, the press itself will in the end find its freedom also in danger. . . ."

The point is well taken. The physical controls of which Mr. Price speaks, as you all know, are at present exercised by the Federal Communications Commission, directed by a chairman and six commissioners who conscientiously endeavor to administer these controls in the spirit outlined by Congress in the Federal Communications Act.

Unfortunately these men are subject to the harrassing influence of many minority groups and individuals, the same as are the many other Governmental departments.

Some of these groups are "conscientious objectors" of a peculiar sort. Their conscience, or whatever motivates them in its absence, directs them to object to everything that doesn't conform strictly to their own tastes and convictions. They are the stuff that dictators are made of. They are intolerant of the desires of others.

They flit around, getting in everybody's hair, chattering like magpies, objecting to everything. If they were ever to assemble in convention for the purpose of selecting a suitable slogan for their convictions, I feel confident I could offer the winning inscription that would be emblazoned upon their coat of arms. It would be: "*I object.*"

The leader of one of these groups is on record as advocating full government control of radio and press. The ugly synonym for this is: Dictatorship.

In line with their resolute policy of objecting to everything, these groups and individuals object strenuously to present-day programming on the radio. The fact that these programs, through careful listen surveys, are indicated as being the types favored by the people, means nothing to them. They hold that the people should be denied the freedom to select. They're positive that one hundred and thirty million people can't know what they want. They need a master mind—one of these good, first-class "I object" guys.

Now, you might think that these individuals or groups, are being inconsistent when they call upon the Commission to designate itself, contrary to law, as a sort of deified body, controlling everything pertaining to a radio that the Constitution, the Congress, our President and 130 million people say should be free. Not at all—the objectors want to tell the Commission how to do it.

There is democracy in reverse for you! The few should tell the many!

I think Mr. Price is right. It's time to state in clear-ringing terms that free radio is here to stay, with a free press; that radio and 130 million people, are unswervingly behind President Truman who recently said: "Radio . . . must be maintained as free as the press." That very term, "Free Radio," implies that it must and will continue to operate in the public interest, convenience and necessity, *not* as that may be interpreted by a few individuals, or groups, but rather as it is determined by the wishes of the people.

No broadcaster, dependent upon the good will of his audience, has the temerity to attempt to ram down the throat of that audience programs that offend, no matter what his personal tastes may be. Nor does any broadcaster intend to let anybody else do it. That would be suicidal. Advertisers would abandon the resulting ineffective radio. An instrument and guardian of free speech would dissolve into thin air, to be replaced by a State radio. The broadcasters programs are selected to suit the tastes of thousands, and only those thousands should have the privilege of selecting.

The broadcaster constantly strives to improve this programming, to better suit more listeners; and he'll make a good job of it only if he remains free to continue unhampered. If he does not remain free, then there just as surely will be no free radio. If free radio goes, the free press follows; and Freedom of Speech also will disappear in their wake.

Broadcasters have faith that the people of this nation will never permit any of their elected representatives or administrative officials to impair the right of free speech. that they will resist vigorously any effort on the part of any group to force the government to impose restrictions in the form of official edicts.

I think I may unhesitatingly say that the broadcasters will take the lead in denouncing the subversive, un-American aims of *any individual* or *group*, or *foreign influence* that may seek to impose its unwelcome will upon a free radio. Free radio will, we hope, spread into other lands. It *shall not* wither here.

Faith in America and its ways is an American trait, common to all of us. The broadcasters of America join with the Jaycees, the young men of America, in re-affirming this common faith in American traditions. With you, and all true Americans, we pledge ourselves to uphold, against any and all onslaughts, Freedom of Speech and its aides, a free radio and a free press.

Campbell Arnoux
September 4, 1945
Richmond, Virginia.

GILLIN RETAINS WOW

Omaha, Neb.—WOW has been re-leased to its present operators, WOW, Inc., of which John J. Gillin, Jr., NAB 10th District Director, is president.

Re-leasing of WOW terminates a lengthy arbitration in which seven bidders were involved. At one stage, the U. S. Supreme Court ordered a re-bid (NAB REPORTS, vol. 13, p. 247).

The new lease is for a 25-year period.

RADIO COUNCILS ACTIVE

Cessation of hostilities has brought a marked increase in Radio Council activity. Indicative of this is an announcement that the Southern California Broadcasters have approved the formation of a Council, and reports from five cities as follows:

Southern California.—"On August 30th," reports Mr. William B. Ryan, NAB 16th District Director, "the Southern California Broadcasters approved the formation of a Radio Council." A committee to work out details was appointed, with Mr. Ryan as chairman.

For some time, large civic and educational groups have urged this action for this important radio center. Among the interested organizations are the Parent-Teacher Association of 110,000 members, Occidental College, and the Los Angeles Board of Education. The PTA has recently released 20,000 *Guides to Listening* distributed through schools and libraries in greater Los Angeles.

Rockford.—For the past 9 months, the Rockford Radio Council has conducted a weekly series of broadcasts in which various civic groups have participated. Florence Lovejoy Shugars, former AWD District Chairman, is Director of the Radio Council.

Wichita.—Out of wartime hibernation comes the Wichita Radio Council directed by Dr. Forest Whan, Wichita University, and well-known radio research man. Dr. Whan advises that a well-rounded program of activity

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is being lined up for 1945-1946, inaugurated by a dinner hosted by Wichita broadcasters.

Kalamazoo.—Dr. Raymond Hightower of Kalamazoo College is newly elected President of the Kalamazoo Radio Council. Dr. W. F. Dunbar, Program Manager, WKZO, has served as organizing chairman.

Greater Cleveland.—The new President of the Radio Council of Greater Cleveland, one of the oldest Councils, is Mrs. George V. Goodbold. Mrs. Henry Christian, retiring President, will serve as Public Relations Chairman. The Council Board entertained the executives of the Ohio State Radio Workshop during the Cleveland session.

Omaha.—"A state-wide survey of equipment and of utilization of radio in all Nebraska schools has been undertaken by the Omaha Radio Council," Mrs. W. F. Ottmann, President, announces.

NAB soon will have lists of all Council officers and chairmen so that broadcasters interested in specific subjects may contact them direct.

WPTF COMMENTATOR BACK FROM PACIFIC

Raleigh, N. C., Sept. 4.—WPTF Commentator W. E. Debnam, has returned from an extensive tour of the South Pacific where he interviewed fighting men of the Carolinas and Virginias, bringing home by transcription their voices and news of their overseas activities.

Sent overseas in May, Mr. Debnam covered a circuit of thousands of miles, with visits to the Philippines, Guam, Saipan, Iwo Jima, and Okinawa. He participated in the landing operations at Balikpapan and in a paratroop assault on a Jap airfield in northern Luzon, for which he was cited "for bravery and courage" by Gen. Walter Kruger.

Throughout the tour, Debnam was transported in Army planes and wore an official radio correspondent's uniform.

Debnam's transcribed interviews were scheduled daily over WPTF for many weeks.

NBC AWARDS SCHOLARSHIPS

Chicago, Ill.—Two outstanding Institute students of the fourth annual NBC-Northwestern Summer Radio Institute found their efforts well worthwhile when they were presented with scholarships at a dinner party on Aug. 23 for students, faculty and the press.

The winners were 29-year-old Helen Jane Barr of Cleveland, Ohio, and John Leslie Blake, 26, of Milwaukee, Wis. Judith Waller, public service director of the NBC Central Division and co-director of the Institute, presented the scholarships.

Miss Barr holds a B.A. and an M.A. and was a speech major at the University of Michigan. She is currently teaching at the Harbor High School at Ashtabula, Ohio. Blake has a B.S. in speech from Milwaukee Teachers College and was formerly associated with Station WSAU, Wausau, Wis., as announcer and assistant program director and Station WTMJ, Milwaukee, as an announcer.

WBIG DONATES AD SPACE TO TREASURY

Radio Station WBIG, Greensboro, N. C., has contributed three half-pages in *Broadcasting Magazine* to the War Finance Division, Treasury Department.

According to Executive Vice President Edney Ridge, the second half-page will run September 10; the third on September 24. First half-page was published August 27.

PORTER ON "POST-WAR RADIO HORIZONS"

Paul A. Porter, Chairman of the Federal Communications Commission, was the guest speaker on the CBS Symphony Program last Sunday (2). The full text of his radio talk follows:

"This is really a privileged platform for anyone who has a message. Those of you who are devotees of the great music which the Columbia Broadcasting System makes available to millions of listeners on Sunday afternoons are citizens of demonstrated discrimination. Anyone in a position of public responsibility should welcome the opportunity to claim your attention. I must confess, however, I speak to you with a sense of fear and trepidation. I am convinced that you could as readily detect a false note in the remarks of an intermission orator as you could in a distorted interpretation of the eternal symphonies which are presented to us each Sunday afternoon over these facilities. I am convinced, therefore, that I am talking to individuals who place a high premium on integrity. And I want to discuss briefly a problem concerning which you, an articulate and cultivated group, have an especial responsibility.

During the summer recess, this network has continued the presentation of this great music. Here is proof of the finest in our democratic system of broadcasting. I do not know the audience rating of this particular program, nor do I care. I do know that there are many Americans who schedule their Sunday afternoons with this program in mind. And perhaps there are other times when you search in vain over your dial for that which will satisfy your particular tastes. I know that this is so because as Chairman of the Federal Communications Commission I have heard from some of you. You have expressed the desire or the hope that your radio bill of fare was the exclusive problem of your government. This is not so, nor should it be. I would not want the Commission of which I happen at the moment to be a member prescribing any specific programs or pontificating on what particular things the American public should hear. While I am quite certain that the present Commission could, if it had the legal authority, develop a plan which would be superb, I shudder, as a listener, over the job which my successors might do.

Therefore, I want to put to you a simple inquiry. How many of you who constitute the Sunday afternoon audience of this particular program have ever taken the trouble to make known the fact that you appreciate the opportunity to hear this grand music? I am not suggesting that, in humble abnegation, you should timidly make known your gratitude. The channels of the ether by which these programs reach you are yours. They don't belong to the network, the stations, or the FCC. They belong to you. What I am saying is that you should make known what you want and those who are the licensees and have custody of public franchises of the ether will be responsive to your desires. I do not want to be in the position of violating the hospitality of those who have invited me to give the artists a rest, but I think the management of our broadcasting systems will agree that by and large the public receives over the air not necessarily what it wants but what it doesn't complain about. To put it another way, if you like this symphony program, don't write your Congressman, or the FCC, but tell your local station and the network and the sponsor and if there is a program you don't like, do likewise.

The American system of broadcasting is a democratic system. And a democratic system presupposes certain free choices. Our licensing procedure doesn't provide for a quadrennial election. There is no method by which you can enforce a change like you do in government. But you can, if you take the trouble, give voice to confidence or disapproval of what you like or don't like.

Stations always get a renewal of their franchises unless somebody complains about them with great vigor and then they usually get it anyway. It is the theory of the American system that the people are the arbiters and final judges. I doubt whether, as far as our radio services are concerned, that this has worked in practice. When, as has been the case recently, the Commission has made inquiry about the overall performance of a particular station, we have been charged with attempting to usurp power which belongs to the listeners. I wonder just how effectively

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listeners have exercised this power which your station owners claim you have. I suspect that indifference has characterized the attitude of most listeners, many of whom may feel they have legitimate grounds for complaint.

We at the Commission want to encourage various groups and individuals to express their views about the services which you receive through your radio. The democratic way is to stimulate such discussion, including both criticism and approbation. I personally feel that the broadcasting system of this country has a great record of achievement during the war and before. Of course there are imperfections. We would all be suspicious of perfection in a democratic society even if we could recognize it. I think that one of the things we have been fighting for is the right of criticism—criticism of your government, our broadcasting system, the taxi cabs, the corner grocer and the top sergeant. My principal concern is whether this freedom to criticize has been effectively exercised in radio. It will be a healthy thing for this to be done.

During the past two Sundays you have heard how science has reached new frontiers. A system of frequency modulation broadcasting is about to get underway. I share the views of those who predict a nationwide system of television in development of which this network has pioneered and made important contributions. The tremendous skills and resources of this great country have advanced in the science of electronics many generations during the war. Now that victory is in our hands, technology offers a tremendous challenge. The engineers have shown us how to do many new things in all fields and communications and broadcasting are in the forefront of these developments.

The important question, to my mind, is whether we can match the ingenuity of the scientists and explore and develop new techniques which will make effective use of that which they have created. In short, can our social sciences, our political systems and the art of human relationships keep pace with the new technology, television, FM, and, yes, the atomic bomb—which have made that question supreme in our time."

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 10th. They are subject to change.

Monday, September 10

NEW—Fred O. Grimwood, Bloomington, Indiana—Construction permit. **1490 kc.**, 100 watt, unlimited.

Wednesday, September 12

NEW—O. E. Richardson, R. W. Widdel, and S. G. Strasburg, d/b as the Voice of Marion, Marion, Indiana—Construction permit. **1230 kc.**, 250 watts, unlimited.

Thursday, September 13

Consolidated Hearing

NEW—C. M. Zinn & G. Leslie Golliday, d/b as Martinsburg Broadcasting Company, Martinsburg, West Virginia—Construction permit. **1340 kc.**, 250 watts, unlimited.

NEW—Richard Field Lewis, Jr., & Grant Pollock, a partnership, d/b as Berkeley Broadcasting Company, Martinsburg, West Virginia—Construction permit. **1340 kc.**, 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

KBST—The Big Spring Herald Broadcasting Co., Big Spring, Texas.—Granted construction permit to increase power from 100 to 250 watts and make changes in transmitting equipment. (B3-P-3880)

WCAR—Pontiac Broadcasting Co., Pontiac, Mich.—Granted special service authorization to operate with power of 250 watts from 7 a. m. EST, to local sunrise, for the period ending April 1, 1946. Station is licensed to operate daytime only with 1 KW on **1130 kc.**

WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.—Granted construction permit (Chairman Porter not participating, Commissioner Durr voting "no"), to install directional antenna for night use, and modified action of August 21, 1945, approving transfer of ownership of WBT from Columbia Broadcasting System, Inc., to Southwestern Broadcasting Co., upon condition that transferee will forthwith take steps to construct a directional antenna which will afford appropriate protection to station KFAB. In order that the installation of such an antenna may proceed without delay, the Commission grants application B3-P-3699 authorizing construction of a three element directional array. This directional array can, with minor adjustments, either protect KFAB, operating with 10 KW as at present, or with 50 KW as proposed in KFAB's application B4-P-1736. No action can be taken on this latter application, however, until after October 8, 1945, when the 60-day period expires which was provided in Commission's statement of August 7, 1945, for the filing of new applications.

Sarkes Tarzian, Bloomington, Ind.—Granted construction permit for new developmental broadcast station to operate on frequencies that may be assigned by the Commission's Chief Engineer from time to time; emission: A0 and A3; transmitter: composite; power: 500 watts; to operate in accordance with Secs. 4.151 to 4.157 inclusive and to conduct such other related experimental operations as the Commission may require through its Engineering Dept. particularly with respect to determination of receiver characteristics as related to the proposed operation and the coordination of experimentation with other stations and experimental operations in the field. (B4-PEX-71)

DESIGNATED FOR HEARING

WSRR—Stephen R. Rintoul (assignor), The Eastern Conn. Broadcasting Co. (assignee), Stamford, Conn.—Designated for hearing application for consent to voluntary assignment of license of station WSRR from Stephen R. Rintoul to The Western Connecticut Broadcasting Co. (Commissioners Jett and Wills voting for grant).

DOCKET CASES

The Commission announces its Opinion and Order closing the proceedings in the matter of a complaint filed by Senator John H. Overton charging that E. A. Stephens, Fred Weber, and H. G. Wall, doing business as Stephens Broadcasting Company, licensees of Radio Station WDSU, New Orleans, La., had refused to make available to him any time between the hours of 6:00 and 10:00 p. m., for political broadcasts during his campaign for renomination as the Democratic candidate for United States Senator from Louisiana at the primary election held on September 12, 1944. The complaint charged that E. A. Stephens, one of Senator Overton's opponents in the primary election, had been allowed ample and well-placed time for broadcasts in support of his candidacy. (Docket No. 6740; B-212)

A hearing was held in this matter, after a preliminary investigation of the station's program logs, for the purpose of determining whether Station WDSU had violated the provisions of

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Section 315 of the Communications Act which provides that equal opportunities shall be afforded qualified candidates in the use of broadcasting stations.

In its Conclusions of Law, the Commission does not feel that the ends of justice or the enforcement of its statutory responsibilities "require the elimination of an established service because of a single episode in which the licensee exercised questionable judgment in the operations of his station. However, in closing the proceedings, the Commission placed the licensees of Station WDSU on notice "that the facts disclosed in this record are subject to further review upon consideration of the station's overall operation when application is made for renewal of license."

The Commission's Conclusions of Law read:

1. Section 315 of the Communications Act of 1934, as amended, provides:

> "If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station, and the Commission shall make rules and regulations to carry this provision into effect: PROVIDED, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section. No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate."

The Act is thus quite explicit in requiring that, once a licensee has permitted his station to be used by a candidate for public office, he must afford "equal opportunities" to all other candidates for the same office. While neither the Act itself nor the Commission's Rules and Regulations define the term "equal opportunities", it is amply clear both from the statutory language and legislative history of section 315 (see H. Rep. No. 1886 on H. R. 9971, 69th Cong., 2d Sess., p. 18) that the meaning of this term is not to be arrived at by the application of narrow, legalistic notions. The obligation imposed upon a licensee by this provision is not discharged merely by offering the same amount of time to each candidate. Quantity alone is not the sole determining factor, for it is a matter of common knowledge that the size of a station's potential audience, an important consideration in political broadcasts, is much larger during the early evening hours than in other portions of the broadcast day. Fifteen minutes during this choice listening period is much to be preferred to quarter-hour segments early in the afternoon or late at night. This is borne out by rate schedules adopted by station WDSU—which are in line with those of other stations—prescribing their highest rates for quarter hour periods between 6:00 and 10:00 or 10:30 p. m. Consequently, since Stephens was being allowed to broadcast during the choice period between 7:45 and 8:00 p. m., it cannot be said, and respondents do not seriously so contend, that their offer to make available to Senator Overton time after 10:35 p. m. represents a satisfactory fulfillment of the statutory requirement to afford him "equal opportunities."

2. Nor can it be said that the belated offer to grant time to Senator Overton during these select hours on *Saturday* evenings was "equal" to the time afforded candidate Stephens on *Thursday* evenings. Notwithstanding respondents contrary contentions, the record indicates that political broadcasts on Saturday nights are generally conceded to be less effective than those on week nights. One has merely to compare the number of persons on the streets and in various public places such as theatres, restaurants and night clubs on Saturday nights with the number at similar places on week nights to realize that a station's potential listening audience, especially for serious political speeches as distinguished from dance music and similar programs, is likely to be less at such time than on week nights. In this connection it is significant that candidate Stephens saw fit to make only one Saturday night broadcast during the campaign—and that on the last Saturday before the election.

3. In an attempt to justify the station's refusal to afford time to Senator Overton between 6:00 and 10:00 p. m. on week days, Weber testified that it was the established policy of WDSU not to cancel any regularly scheduled commercial program in order to clear time for political broadcasts and that such broadcasts are restricted to periods of sustaining time only. This statement of policy reflects such a complete failure on the part of respondents to appreciate their obligations as station licensees (to operate in the public interest) as to require severe censure of such policy. Under the Communications Act of 1934 and the Commission's Rules and Regulations, a station licensee has both the right and the duty to cancel such previously scheduled programs as may be necessary in order to clear time for broadcasts of programs in the public interest. And the mandate of section 315 is both positive and explicit: "He shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station * * *." It is impossible to reconcile respondent's policy with this statutory requirement.

4. Stephens, as majority owner of the licensee company, and as a candidate for public office, was under a peculiar obligation to make certain that the operations of this station did not afford the opportunity for his opponents to complain that the public facility over which he had control was being used for personal political advantage. A station operator more sensitive to the requirements of the statute and the traditional practices in the broadcasting industry would have been more scrupulous in this respect. Station WDSU was not licensed by this Commission for the personal benefit of the licensee, but is required by the terms of its license and the regulations governing its operation to perform a service to the public. Had the record been clear that Stephens as a licensee of this Commission wilfully and deliberately used this privileged position to discriminate against his political opponents such an offense would warrant revocation proceedings. It appears, however, that Stephens, who was not the active manager of the facility, was perhaps more guilty of a lack of understanding of his obligations and responsibilities as a licensee than any wilful intent to utilize his broadcasting facilities unlawfully.

5. In view of the foregoing, the Commission does not believe that the ends of justice or the enforcement of its statutory responsibilities require the elimination of an established service because of a single episode in which the licensee exercised questionable judgment in the operations of his station. It would appear that the only sanction which the Commission could apply would be after appropriate further proceedings to revoke the station's license and thus destroy a service which the Commission has heretofore found meets the standards of public interest.

6. Upon consideration of the entire record and the attendant circumstances in the instant case, the Commission therefore concludes that no further action need be taken at this time and that the instant proceeding should be dismissed. This proceeding should serve, however, to remind the licensee that the facility in which he has an interest is not an instrumentality to be used for his personal political advancement. Broadcasters have a particular obligation to avoid discrimination in political contests and broadcasters generally are conscious of this responsibility.

7. In view of the foregoing, the proceedings in this cause are hereby closed, with notice that the facts disclosed in this record are subject to further review upon consideration of the station's overall operation when application is made for renewal of license.

The Commission also announces its Proposed Findings of Fact and Conclusions (B-213) in the matters of (1) the applications of KOMA, Inc., for construction permit to operate Station KOMA, Oklahoma City, Okla., on 690 kilocycles (the channel now assigned to Station KGGF, Coffeyville, Kans.), with 500 watts power at night and 5 kilowatts power during the day, using its present equipment (KOMA now operates on 1520 kilocycles, 5 kilowatts power day and night, with a non-directional antenna), and for renewal of its license to operate on the frequency 1520 kilocycles as presently assigned, and (2) application of Hugh J. Powell, licensee of Station KGGF, Coffeyville, Kans., for construction permit to move its transmitter to a new site, to install a directional antenna and to operate with 1 kilowatt power both day and night on 690 kilocycles (KGGF now operates on 690 kilocycles with 500 watts night and 1 kilowatt-LS), and for renewal of license to operate on 690 kilocycles as presently assigned. (Dockets 5948, 6570, 5949 and 6560 respectively)

The Commission concluded that the application of KOMA for a construction permit to operate on 690 kilocycles with 500 watts power at night and 5 kilowatts during the day, using its present non-directional antenna, should be denied, but without prejudice to the filing by KOMA of another application within 12 months, if KOMA should desire to do so. Because of the serious interference which KOMA's present operation (1520 kilocycles, 5 kilowatts power both day and night, using a non-directional antenna) causes to Station TGW at Guatemala City and to Station WKBW at Buffalo, New York, the Commission concluded it cannot authorize continued operation of KOMA with a nighttime power of 5 kilowatts, employing a directional antenna, and, accordingly, stated it would issue KOMA a six-month temporary authorization to continue operation on 1520 kilocycles with 5 kilo-

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watts day and 500 watts night, employing a non-directional antenna. This temporary solution to the interference problem will eliminate interference to Station TGW at Guatemala and will substantially reduce, but not entirely eliminate, interference to Station WKBW at Buffalo. It will afford KOMA an opportunity to file an application looking toward the permanent solution of the interference problem. The record indicates that the proper use of the frequency 1520 requires the use of a directional antenna which will protect Station TGW in Guatemala and Station WKBW in Buffalo.

The Commission's statements of policy of January 25, 1945 and August 7, 1945, prevent action until after October 7, 1945, on the application of KGGF for construction of the type contemplated. However, the Commission concluded that, since the applicant is proceeding with appropriate steps looking toward the correction of the interference, a regular license renewal should be granted for the period ending November 1, 1946.

KOMA's Application for Construction Permit on 690 Kilocycles

1. Weighing the considerations which militate for and against a grant of the KOMA application for a construction permit on 690 kilocycles we find that on the one hand a grant of the application would result in additional daytime service to approximately 1,035,081 persons who already receive service from some 25 other stations, many of them having service from 8 different stations. On the other hand, a grant of the application would result in: (a) A loss to KOMA of nighttime service to 82,637 people, all of whom receive primary service from at least one other station; (b) a signal strength of only 16 mv/m over the business district of Oklahoma City whereas the Commission's Standards of Good Engineering Practice recommend at least 25 mv/m; (c) interference to the service of station CBF, operating as a class 1-A station at Montreal, Canada, well within the Canadian border, east of North Dakota, in violation of the provisions of NARBA (the increase in the interference to Station CMQ, Havana, Cuba, and Station XEN in Mexico is too small to be significant); (d) A substantial reduction in KGGF's daytime service, and (e) the weakening of KGGF's nighttime signal in the area it now serves although its interference free nighttime service area would be somewhat increased. Moreover, a grant to KOMA on 690 kilocycles would block a possible improvement by KGGF in its use of that frequency which would result in a substantial gain to KGGF in both nighttime and daytime service, and the elimination of interference to Station KFEQ at St. Joseph, Missouri and to Station CBF at Montreal, Canada. Accordingly, the Commission concludes that KOMA's application for a construction permit to operate on 690 kilocycles with 500 watts power at night and 5 kilowatts power during the day, using its present non-directional antenna should be denied.

2. Unless otherwise provided in the Commission's order the effect of denying KOMA's application would be under regulation 1,369 to prevent the consideration of another application from KOMA to serve a whole or part of this area until after the lapse of 12 months from the effective date of our order. Upon consideration of special circumstances in this case, which are described below, the Commission has concluded that its order should not have such an effect and, accordingly, is denying KOMA's application without prejudice to the filing of another application within 12 months, if KOMA should desire to do so.

3. The special circumstances, which have persuaded the Commission to make the denial without prejudice to the filing of another application, are these—prior to the war KOMA was applying for a construction permit on 690 kilocycles with 50 kilowatts power during the day and 25 kilowatts power during the night, using a directional antenna both day and night. It was December 29, 1941, after the United States entered the war, that KOMA amended its application to reduce its operating power to 10 kilowatts day and night. After the Commission issued its Memorandum Opinions restricting the use of critical materials for the construction of broadcast facilities or for changes in existing facilities KOMA again amended its application so as to request the use on 690 kilocycles of its present 5 kilowatt transmitter and its present non-directional antenna, employing 5 kilowatts power during the day and 500 watts during the night. Obviously then the proposal by KOMA, which is involved in this proceeding, is simply a wartime expedient and does not represent KOMA's best plan for the use of the frequency 690 kilocycles. As a matter of fact, KOMA contended at the hearing that its request to operate with 5 kilowatts day and 500 watts night did not constitute an amendment to its application requesting 10 kilowatts power, unlimited time with the directional antenna. It offered to submit proofs regarding both operations. The presiding officer at the hearing correctly ruled that KOMA's proof should be restricted to its application as last amended. This ruling was consistent with the Commission's order of February 16, 1944, which granted KOMA's petition to amend its 10 kilowatt application and was required by rule 1.368, which prevents an applicant from simultaneously prosecuting two applications for a particular broadcast facility. Nevertheless, now that the war is over and restrictions on the use of critical materials have been removed, the Commission does not believe that because KOMA unsuccessfully prosecuted an application which was designed as a wartime expedient, that it should prohibit it for 12 months from presenting to the Commission an application not tailored to wartime restrictions and proposing a permanent plan for the operation of Station KOMA either on its presently assigned frequency of 1520 kilocycles or on some other frequency. An opportunity to do this is afforded by the Commission's statements of policy dated January 25, 1945, and August 7, 1945, which provide that when restrictions on the use of critical materials are lifted the Commission will provide a period of 60 days for the filing of new applications prior to taking any action on cases retained in the pending file during the period when the ban on construction was in effect. This 60-day period started on August 7, 1945, and will not expire until October 7, 1945.

KGGF's Application for Construction Permit on 690 Kilocycles

4. A grant of KGGF's application for a construction permit on 690 kilocycles would result in a gain during the daytime of 125,558 potential listeners, all of whom receive service from a number of other stations. At nighttime KGGF would gain 33,266 potential listeners, all of whom presently receive primary service from one or two other stations. Interference now caused by KGGF to Station KFEQ, St. Joseph, Missouri would be substantially reduced with the result that KFEQ would gain 3,222 square miles of service area containing a population of 49,442. The proposed operation of KGGF would also eliminate objectionable interference to Station CBF at Montreal, Canada in violation of NARBA.

5. Under the Commission's statements of policy of January 25, 1945, and August 7, 1945, construction of the type contemplated by KGGF's application cannot be authorized until after October 7, 1945, when the 60-day period provided for the filing and processing of new applications expires.

KGGF's Application for Renewal

6. KGGF has presented a proposal which would permit the correction of the interference now caused to Station KFEQ at St. Joseph, Missouri and Station CBF at Montreal, Canada. Even though the Commission's statement of policy prevents action on this proposal at this time the Commission has concluded that, since the applicant is proceeding with appropriate steps looking toward the correction of the interference, a regular license renewal should be granted for the period ending November 1, 1946.

KOMA's Renewal Application

7. In view of the serious interference which KOMA's present operation (1520 kilocycles, 5 kilowatts power both day and night, employing a non-directional antenna) causes to Station TGW at Guatemala City and to Station WKBW at Buffalo, New York, the Commission has concluded that it cannot authorize continued operation of KOMA with a nighttime power of 5 kilowatts, employing a directional antenna. Accordingly, the Commission will issue KOMA a six-month temporary authorization to continue operation on 1520 kilocycles with 5 kilowatts day and 500 watts night, employing a non-directional antenna. This will eliminate interference to Station TGW at Guatemala and will substantially reduce, but not entirely eliminate, interference to Station WKBW at Buffalo. This, of course, is to be regarded only as a temporary solution to the interference problem but it will afford KOMA an opportunity to file an application looking toward the permanent solution of the interference problem. As pointed out above, the record indicates that the proper use of the frequency 1520 requires the use of a directional antenna which will protect Station TGW in Guatemala and Station WKBW in New York.

LICENSE RENEWALS

WINK—Fort Meyers Broadcasting Co., Fort Meyers, Fla.—Granted renewal of license for the period ending August 1, 1946.

WHAM—Stromberg-Carlson Co., Rochester, N. Y.—Granted renewal of license for main and auxiliary for the period ending May 1, 1948.

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Granted renewal of license for the period ending August 1, 1947.

WKPT—Kingsport Broadcasting Co., Inc., Kingsport, Tenn.—Granted renewal of license for the period ending August 1, 1947.

KGKL—KGKL, Inc., San Angelo, Texas.—Granted renewal of license for the period ending August 1, 1947.

WRRN—Neid & Stevens, Warren, Ohio.—Granted renewal of license for the period ending August 1, 1947.

APPLICATIONS FILED AT FCC

560 Kilocycles

WJLS—Joe L. Smith, Jr., Beckley, W. Va.—Construction permit to increase power from 100 watts night, 250 watts daytime to 500 watts night, 1 KW daytime; install new transmitter and directional antenna for night use and change transmitter location.

930 Kilocycles

KSEI—Radio Service Corp., Pocatello, Idaho.—Construction permit to increase power from 250 watts night, 1 KW daytime, to 1 KW day and night; install directional antenna for night use and move transmitter; AMENDED: to change requested power to 5 KW, day and night, employing directional antenna night and install new transmitter.

1030 Kilocycles

WBZA—Westinghouse Radio Stations, Inc., Boston, Mass.—Authority to determine operating power by direct measurement of antenna power.

1340 Kilocycles

NEW—Herbert Herff, Memphis, Tenn. (P. O. 295 Union Ave.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

1400 Kilocycles

KTNM—Hoyt Houck, Robert D. Houck, Walter G. Russell and Lonnie J. Preston, d/b as Tucumcari Broadcasting Co., Tucumcari, N. Mex.—Modification of license to change hours of operation from specified to unlimited.

NEW—J. E. Richmond, Percy M. Whiteside, Homer W. Wood, Charles A. Whitmore and Morley M. Maddox, d/b as Tulare-Kings Counties Radio Associates, S. W. of Visalia, Calif. (P. O. Box 511, Visalia, Calif.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation.

1460 Kilocycles

NEW—Albany Broadcasting Co., Inc., Albany, New York (P. O. Cor. Lodge & Howard Sts.)—Construction permit for a new standard broadcast station to be operated on **1460 kc.**, power of 500 watts night, 1 KW daytime, and unlimited hours of operation—facilities of WOKO.

FM APPLICATIONS

NEW—Daily Telegraph Printing Co., Bluefield, W. Va. (P. O. 623 Commerce St.)—Construction permit for a new high frequency (FM) broadcast station to be operated with coverage of 32,620 square miles.

NEW—Buckeye Broadcasting Co., Cincinnati, Ohio (P. O. 140 W. Ninth St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **99.5 mc.**, with coverage of 18,100 square miles.

NEW—William Avera Wynne, Rocky Mount, N. Car. (P. O. Box 752)—Construction permit for a new high frequency (FM) broadcast station to be operated on **99.1 mc.**, with coverage of 8,610 square miles.

MISCELLANEOUS APPLICATIONS

WGYN—Muzak Radio Broadcasting Station, Inc., New York, N. Y.—Transfer of control of licensee corporation from Charles E. Merrill and Muzak Corporation to Charles E. Merrill, Muzak Corporation and Radio Sales Corporation.

NEW—The Trustees of Columbia University in the City of New York, New York, N. Y. (P. O. Broadway & 116th St.)—Construction permit for a new noncommercial educational broadcast station to be operated on **91.7 mc.**, power of 10 KW, and special emission for FM.

W2XRY—Raytheon Manufacturing Co., New York, N. Y.—License to cover construction permit (B1-PEX-72) which authorized construction of a new developmental broadcast station.

WNBX—National Broadcasting Co., Inc., near Dixon, Calif.—License to cover construction permit (B5-PIB-61) which authorized construction of a new international broadcast station.

WJRA—WJR, The Goodwill Station, area of Detroit, Mich.—Modification of relay broadcast station license to change corporate name to WJR, The Goodwill Station, Inc.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Hollywood Athletic Co., 211 East Seventh Street, Los Angeles, Calif., selling and distributing athletic and sporting goods, including banners, pennants, flags, emblems, insignia and similar articles customarily used by students of schools, colleges and universities, is charged in a complaint issued with misrepresentation and the use of deceptive acts and practices in commerce. (5373)

Marvel Equipment Manufacturers, Inc., Freeport Illinois, with offices at 224 South Michigan Avenue, Chicago, Illinois, selling and distributing machinery and industrial equipment, including railway switch heaters, intended to keep switches free from snow and ice, is charged in a complaint with misrepresentation. (5372)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATION

During the past week the Commission has announced the following stipulation:

Rosenberg Umbrella Company, 25 West Thirtieth Street, New York, entered into a stipulation to discontinue failing to disclose that the frames of certain umbrellas they sell are reconditioned and that the covers contain rayon. (4100)

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The NATIONAL ASSOCIATION OF BROADCASTERS

NAB Reports

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 37, September 14, 1945

RYAN WRITES TIME MAGAZINE

NAB President J. Harold Ryan has sent the following letter to Mr. Henry R. Luce, Editor of *Time* Magazine:

In the September third issue of *Time* under the Radio Section on page 66 occurs the following statement:

> "Last week WWJ celebrated its 25th Anniversary, and reasserted its claim to being the world's first commercial radio station. That claim used to be pooh-poohed by Pittsburgh's powerful KDKA. This year the National Association of Broadcasters finally decided the question in WWJ's favor; KDKA, it said, was ten and a half weeks younger."

While it is true that this year the National Association of Broadcasters published a Chronology of Radio, your correspondent apparently has drawn from it an entirely erroneous conclusion. The Chronology is a reprint from Broadcasting's Year Book of 1942. Since this publication is not available to those organizations who were planning salutes to Radio on the Twenty-Fifth Anniversary of the year when commercial broadcasting began we reprinted the Chronology, solely for their guidance. To imply that the mere reprint of a chronology amounts to a "final decision" on a disputed date of history is manifestly unfair to the stations involved and to the NAB.

It was not the intention, nor is it the prerogative of the NAB to attempt to decide the relative claims of two pioneer broadcasting stations. The statement, therefore, that this Association decided the question in WWJ's favor is in error and does an injustice to KDKA. We would appreciate your making the necessary correction.

NABET STRIKES

The National Association of Broadcasting Engineers and Technicians (NABET) Wednesday (12) struck the National Broadcasting Company, The American Broadcasting Company and Mutual's WOR. All members of the union working in the network managed and operated stations left their posts. There was a short interruption in service until executive engineers not within the union's jurisdiction could take over.

It is reported that NABET in calling the strike accused NBC, ABC and WOR of failure to negotiate in good faith. This charge the networks have strenuously denied. The networks have advised NABET that until the men return to work, there will be no resumption of negotiations looking to a contract. The stations affected are continuing to operate with the assistance of executive engineering personnel.

FCC TRANSFER POLICY ANNOUNCED

A proposed plan whereby all interested parties would be given an opportunity to apply for licenses of broadcast stations which are offered for sale was announced by the Federal Communications Commission.

Under this plan, the Commission would grant the transfer of license to the applicant best qualified to operate the station in the public interest.

The Commission's plan was included in an opinion issued Wednesday (12) with respect to its approval on August 2 of the sale of the Crosley Corporation radio interests to Aviation Corporation of America. (See NAB REPORTS, Vol. 13, page 313)

Under this plan, the Commission and the seller would publish the terms and the conditions of the proposed sale and the name of the prospective buyer who has met the seller's price. Other persons desiring to apply for the station would be invited to do so on the same terms and conditions. The Commission would consider all applications on their merits, with a view to granting the transfer on the basis of public interest. A public hearing will be held on this proposal.

To strengthen its transfer procedure further, the Commission will recommend that Congress consider the desirability of adopting a yardstick for measuring the appropriate value of a station so that the Commission's field of choice will not be unreasonably restricted by permitting sales of stations at artificially high prices.

Congress will also be asked to consider the advisability of further defining the qualifications of licenses and particularly to determine as to what extent holding companies, investment banking groups, large industrial empires, large manufacturing companies and other businesses should be permitted to control radio stations.

"A basic infirmity of the Communications Act, which this case serves to highlight, is the fact that under the Act, as it has been administered up to this time, a man retiring from the radio business has, for all practical purposes the power to select his successor," the Commission statement pointed out.

"Under the interpretation which has prevailed, his selection is final except in the very rare cases where he elects to sell to a party who is found not to be qualified. This is obviously a deficient procedure because a person retiring from the broadcast business is, in selecting a purchaser, likely to be influenced by many considerations

(Continued on next page)

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising;* Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

which are quite unrelated to the question which should be paramount—namely, who is best qualified to continue to operate the station in the public interest."

". . . The procedure which has prevailed in transfer cases is in sharp contrast to that prescribed by Congress for the consideration of applications for new stations although the standards prescribed by the Act are identical. In the case of licensing new stations the procedure followed insures that everyone who is interested in applying for a particular broadcast frequency shall have the opportunity to do so. This usually results in a competitive situation where the Commission has a choice between applications."

Approval of the transfer of the Crosley Corporation on August 2 was voted by a majority of the Commission consisting of Commissioners Paul A. Porter, Chairman; E. K. Jett, Charles R. Denny and William H. Wills. Commissioners Paul A. Walker, Ray C. Wakefield and Clifford J. Durr dissented.

With respect to its approval of the transfer of Crosley's station WLW to The Aviation Corporation, the Commission majority said that it had "no alternative but to grant the application unless the uniform procedents of 17 years of radio regulation are to be ignored and a complete reversal of administrative policy is to be adopted." The majority took the view that administrative agencies such as the Commission "have an obligation to adhere to uniform policies, and when developments dictate change, adopt after appropriate notice a rule of general application so as to avoid the color of discrimination in a particular case." Moreover, the majority pointed out that to deny the WLW transfer on the ground that Avco has substantial business interests in other fields would create a chaotic situation in the broadcast industry since doubt would be cast upon the status of scores of present radio licensees who, like Avco, have extensive non-broadcast interests.

The majority further found that Avco meets the citizenship requirements of the Communications Act, is financially qualified and is technically qualified. While the parties to the transfer did not segregate the price paid for the radio properties from the price paid for the Crosley manufacturing properties, the Commission said that there was no evidence of trafficking in licenses and the record showed that the price paid would not adversely affect Avco's financial responsibility or the station's program structure.

A dissenting opinion issued by Commissioners Walker and Durr objected to the transfer on the grounds that Aviation Corporation is a large holding company of a type which has been traditionally a matter of concern because of their use as an instrumentality for gaining control over large segments of the economy of the country without corresponding responsibility; that Aviation Corporation has failed to give the Commission a valuation on the broadcast properties, has not demonstrated even minimum qualifications by acquiring a knowledge of the duties and responsibilities of a licensee and that the Commission should not be bound by its precedents when such precedents conflict with public interest and statutory responsibilities.

Commissioners Walker and Durr agreed that the procedure recommended by the majority for future transfer cases will remedy some of the deficiencies in the Commission's present procedure. They objected that the proposal to limit competition to those who are willing and able to meet the contract terms and conditions of the highest bidder seems "without warrant in the Act." Such competition, their opinion asserted, should not be in terms of ability to pay the highest price but in terms of public service to be rendered. In view of the decision to adopt a new transfer procedure and to submit certain questions to Congress, action on all "questionable applications" should be deferred until Congress and the Commission have acted, the opinion declared.

Commissioner Ray C. Wakefield's separate dissenting opinion opposed the transfer primarily on the ground that the transferee, on the basis of the record, is less qualified than the transferor, and hence the Commission could not properly make the finding required by Section 310(b) of the Communications Act that the public interest would be served by the transfer. Commissioner Wakefield stated that the same public interest which is inherent in the privilege of using a portion of the public domain free of charge requires that a transferor select a successor who will possess not only the bare qualifications to assume the duties incumbent upon licensees as required by the Act, but also the qualifications which will asure at least a comparable standard of service.

Commissioner Wakefield cited precedents in which the Commission had heretofore denied transfer applications where it appeared that the public interest would be better served by leaving control in existing hands. He noted that according to the evidence adduced at the hearing, AVCO was not originally interested in the purchase of radio stations, considering the purchase of the properties involved in this case as "a package of equities," and that those assuming control were unacquainted with the needs of the community to be served, the bare essentials of the program structure, and the nature of their public and legal responsibilities as broadcasters. He stated that the burden of overall management, as distinguished from mere day-to-day operations, should not be shifted to paid employees, and that to look to employees rather than to those in control for qualifications would render moot the statutory requirement of Section 310(b). He noted that there was adequate time in this case to find a fully qualified transferee.

Commissioner Wakefield's dissent noted that there was an absence of full information with reference to such fundamental issues as the price being paid by the transferee, the future program and financial policies of the transferee, and generally.

Commissioner Wakefield stated that on the basis of the record here, the Commission's authority appears clear without further legislation; and that some "such procedure as that proposed by the majority to be instituted hereafter should have been intsituted in the present case." The dissent concludes: "I agree with the majority view that this case illustrates the deficiencies of the Communications Act with respect to the broader phases of some of the issues raised herein. The Commission should formulate specific proposals for submission to Congress."

Commissioners Walker and Durr, in addition to the

(Continued on next page)

grounds for denial set forth in their own dissenting opinion, expressed agreement with the grounds for denial set forth by Commissioner Wakefield.

FM FREQUENCY AND POWER ASSIGNMENTS

The Commission today made public a list of assignments for present FM licensees and permittees. Any licensee or permittee desiring to object to the assignment made by the Commission must do so on or before September 25, 1945.

All of the assignments which were made today are for Metropolitan stations with the exception of Station WMIT at Winston-Salem, North Carolina, and WMTW at Mt. Washington, New Hampshire, both of which are Rural stations. WMIT is authorized to operate on the frequency 97.3 megacycles (Channel No. 47) with power of 200 kilowatts and WMTW is authorized to operate on the frequency 97.9 megacycles (Channel No. 50) with power of 10 kilowatts. Other Rural stations will be authorized upon a proper showing.

In making the allocations for the Metropolitan stations, the Commission has provided in both Area I and Area II for an effective radiated power of 20 kilowatts and an antenna height of 500 feet above the average terrain.[1] Where existing antenna heights are in excess of 500 feet the Commission has required a reduction in effective radiated power so that the service area of such a station (within its 100 uv/m contour) is substantially similar to what it would be with an antenna height of 500 feet and effective radiated power of 20 kilowatts. Where the existing antenna heights are less than 500 feet the Commission is authorizing 20 kilowatts power but such stations in the future will be required to conform with a minimum antenna height of 500 feet above the average elevation unless a showing is made that such an antenna height is not feasible.

The basis on which the Commission made its assignments is set forth below. In Area II there are sufficient frequencies so that all existing licensees in any city can be given facilities providing substantially the same coverage and this has been done. In Area I a somewhat different situation exists. The Commission's Rules and Regulations provide that Metropolitan stations in Area I shall be limited to a maximum effective radiated power of 20 kilowatts and an antenna height of 500 feet and that the service area of such stations will not be protected beyond the 1000 uv/m contour.[2] Accordingly, all the Metropolitan frequencies in any city in Area I will be substantially equal so far as the 1000 uv/m contour is concerned. However, it is recognized that Metropolitan stations will be able in many instances to serve beyond their protected 1000 uv/m contour—although this additional unprotected service area will undoubtedly be cut down as additional stations are licensed—and that some of the Metropolitan stations will be able to serve a greater area beyond their 1000 uv/m contour than do the others. To this extent some channels may be considered more desirable than others, although so far as the protected contours are concerned all channels will be equal. Nevertheless, while not all of the facilities are equal in coverage, it has been possible in each city in Area I (with one exception) to assign frequencies of substantially the same coverage to all existing stations in that city. These facilities, moreover, are amongst the most desirable in each city from the point of view of service beyond the 1000 uv/m contour. The one exception is New York City where it has not been possible to find 11 frequencies for all the 11 existing stations with substantially the same coverage.

Two alternative plans were available to the Commission in making the assignments in New York City. Under the first alternative, stations would be allocated in the new band in approximately the same order as they are in the present FM band. Under this method, some of the existing networks would be given facilities which initially would be considerably better than those of other networks, and thus an unequal competitive situation would result. Moreover, under this system, some of the independent stations which were pioneers in FM—including the inventor of FM—would be given the least desirable assignments. Finally, this method would result in saving for late-comers the best facilities in New York instead of making them available to those who pioneered in FM broadcasting.

The second alternative plan involves making a choice among existing licensees on the basis of the best information presently available to the Commission. The Commission recognizes that it would be better to make such a choice after a hearing. However, the Commission is of the opinion that public interest requires FM broadcasting to get started as soon as possible, and hence some authorizations without a hearing are necessary if FM broadcasting is not to be handicapped by a slow start. Moreover, as has already been pointed out, stations will be given an opportunity to object to the Commission by September 25, 1945, concerning the specific assignments.

In making the assignments in New York City, the Commission has decided to assign the frequencies with the maximum service area beyond the 1000 uv/m contour to existing stations since these stations are the pioneers in FM broadcasting.[3] In making assignments in New York City to the networks, the Commission has endeavored to assign substantially equivalent facilities for all the networks. As a result, the facilities assigned to the network pioneers have a somewhat smaller service area beyond the 1000 uv/m contour than in the case of the non-network pioneer FM stations in New York. This should result in maximum service to listeners in the New York area. The programs of the network stations are available either from the network-owned stations or from their affiliates. Hence, listeners living beyond the 1000 uv/m contour of the network-owned station will have an opportunity of receiving network programs from an affiliate of the network in whose 1000 uv/m contour they reside, and all networks will have an opportunity to compete for affiliates in this area. So far as non-network stations in New York are concerned,[4] their programs are not available from any other station as in the case of network programs. Thus, the listening public gains by making available to the non-network stations those frequencies which have a maximum service area beyond the protected 1000 uv/m contour.

The complete assignment of frequencies as made by the Commission is set forth in the attached table.

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[1] In Area II greater coverage than is possible with effective radiated power of 20 kilowatts and a 500-foot antenna will be authorized upon proper showing. Some stations in Area II have smaller coverage at present than is provided for by the Commission's authorization. If such stations desire the smaller coverage, this will be authorized upon a proper showing.

[2] Until there is full occupancy of Metropolitan channels in Area I, the Commission will give consideration to applications from licensees of Metropolitan stations to operate temporarily with power in excess of that prescribed in the rules (i.e. the equivalent of 20 kilowatts radiated power with an antenna height of 500 feet) upon a special showing that this would provide a better signal in specified rural areas. It should be emphasized that such increase in power, if granted, will be temporary only and will be required to be reduced upon the licensing of additional stations to serve the area in question.

[3] The frequency assigned to WNYC-FM will provide a smaller service area beyond the 1000 uv/m contour than in the case of the other assignments. This is in accordance with the showing previously made by WNYC to the effect that the station's purpose can be served with a service area limited to the area of New York City.

[4] Since the networks themselves own stations in New York, it is obvious that independent stations there cannot secure network affiliation.

Frequency and Power Assignments for Existing FM Broadcast Stations and Outstanding Construction Permits

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METROPOLITAN STATIONS

City and Call Letters		Channel Number	Radiated Power	Antenna Height Above Average Terrain	Frequency
Baton Rouge, La	WBRL	41	20 kw	500	96.1
Binghamton	WNBF—FM	44	10.5 kw	657	96.7
Boston	WBZ—FM	39	20 kw	455*	95.7
Chicago	WBBM—FM	57	10 kw**	668	99.3
Chicago	WDLM	59	20 kw**	479*	99.7
Chicago	WEHS	61	12 kw**	616	100.1
Chicago	WGNB	55	20 kw**	472*	98.9
Chicago	WWZR	55	12 kw**	611	98.5
Columbus	WELD	33	20 kw	341*	94.5
Detroit	WENA	45	10.5 kw	663	96.9
Detroit	WLOU	43	20 kw	362*	96.5
Evansville	WMLL	34	20 kw	281*	94.7
Fort Wayne	WOWO—FM	40	20 kw	300*	95.9
Hartford	WDRC—FM	32	7.0 kw	758	94.3
Hartford	WTIC—FM	28	9.5 kw	673	93.5
Indianapolis	WABW	35	20 kw	290*	94.9
Kansas City	KOZY	60	20 kw	500	99.9
Kansas City	KMBC—FM	50	20 kw	500	97.9
Milwaukee	WMFM	22	20 kw**	310*	92.3
Nashville	WSM—FM	61	8.5 kw**	720	100.1
Philadelphia	KYW—FM	26	20 kw	382*	93.1
Philadelphia	WCAU—FM	38	20 kw	366*	95.5
Philadelphia	WFIL—FM	32	20 kw	464*	94.3
Philadelphia	WIP—FM	30	18 kw	520	93.9
Philadelphia	WIBG—FM	36	20 kw	358*	95.1
Philadelphia	WPEN—FM	40	20 kw	455*	95.9
Pittsburgh	KDKA—FM	31	6.5 kw	783	94.1
Pittsburgh	WTNT	33	20 kw	500	94.5
Rochester	WHEF	53	20 kw	387*	98.5
Rochester	WHFM	55	20 kw	261*	98.9
Salt Lake City	KSL—FM	61	8.5 kw	720	100.1
Schenectady	WGFM	37	6 kw	805	95.3
Schenectady	WBCA	39	6 kw	805	95.7
South Bend	WSBF	67	20 kw	312*	101.3
Springfield, Mass	WBZA—FM	56	20 kw	500	99.1
Superior, Wisc	WDUL	22	20 kw	500	92.3
Worcester, Mass	WTAG—FM	71	20 kw	477*	102.1
Worcester, Mass	WGTR	69	9.5 kw	680	101.7
Alpine, N. J	WFMN	65	6.0 kw	795	100.9
New York, N. Y	WQXQ	63	11.5 kw	632	100.5
New York, N. Y	WABF	53	15 kw	567	98.5
New York, N. Y	WGYN	61	4.0 kw	905	100.1
New York, N. Y	WFGG	59	7.2 kw	747	99.7
New York, N. Y	WHNF	57	20 kw	455*	99.3
New York, N. Y	WNYC—FM	51	15 kw	560	98.1
New York, N. Y	WBAM	45	15 kw	559	96.9
New York, N. Y	WABC—FM	47	5 kw	850	97.3
New York, N. Y	WEAF—FM	49	1.6 kw	1258	97.7
Jersey City, N. J	WAAW	41	13.5 kw	590	96.1

RURAL STATIONS

(Located at present sites)

Mt. Washington, N. H	WMTW	50	10 kw	...	97.9
Winston-Salem, N. C	WMIT	47	200 kw	...	97.3

The following metropolitan stations may operate from their present sites with the power indicated below until such time as the Commission considers all of the applications in the Los Angeles area.

Los Angeles, Calif	KHJ—FM	59	4.8 kw**	870	99.7
Los Angeles, Calif	KTLO	61	4.8 kw**	870	100.1

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* This antenna height is based upon previously authorized antenna construction, and a minimum antenna height of 500 feet above average elevation will be required in the future unless a showing is made to the contrary that such an antenna height is not feasible.

** These stations in Area II have been assigned power less than presently authorized. The question of operating with higher power is presently under study.

FM APPLICATIONS BY SERVICE MEN

The Commission has received inquiries from men now in the military service regarding the possibility of filing applications for FM facilities at this time with engineering data to be submitted at a later date upon their discharge from the service.

In a public notice of September 4, 1945, the Commission announced that it proposes to make "conditional grants" of FM applications, affording the applicants a period of ninety days in which to file engineering details of the proposed operation. It is believed that this procedure will facilitate the filing of applications by service men, and will enable them to qualify for FM licenses.

The Commission recognizes the difficulties confronting military personnel in completing their applications for broadcast facilities, and, accordingly, consideration will be given to requests by applicants in the armed services for reasonable extensions of time to submit engineering data.

Since it is not possible to reserve FM channels for future assignment, service men planning to enter the broadcast business are urged to submit their applications promptly.

REVISION OF SCHEDULE 13 FORM 324

The Commission has notified NAB of its desire to revise Schedule 13 Form 324 covering "Employees and their Compensation for the week beginning October 15, 1945." The Commission's proposal would require stations to answer for each classification of employees in terms of the following:

1. Number of employees.
2. Total number of weekly hours scheduled for week beginning October 15, 1945.
2. Total number of weekly hours scheduled for week hours.
4. Number of employees during week of October 15, 1945, classified according to scheduled hourly rate of pay. (Does not apply to executives.)
5. Total amount of unscheduled overtime worked during week of October 15, 1945.
6. Total amount of compensation paid for unscheduled overtime reported in item 5.

Final approval of the proposed form has not yet been obtained by the FCC pending its review by the Bureau of the Budget. Following a thorough consideration of the new form by NAB a letter was directed to the FCC opposing the proposal on policy grounds. Since it appears likely that this form, with slight modifications, will eventually be adopted and sent to the stations within the next few weeks, NAB is working informally with the Commission's staff in an effort to make it as workable and understandable as possible.

AIRPORT BILL PASSES SENATE

Senator McCarran's Bill (S2) for Federal Aid for Public Airports passed the Senate Wednesday (12).

An amendment proposed by Senator Ed Johnson (D-Col.), was adopted which provides that "The Administrator shall consult with, and give consideration to the views and recommendations of, the Federal Communications Commission, and shall make all reasonable efforts to cooperate with that Commission for the purpose of eliminating, preventing, or minimizing airport hazards caused by construction or operation of any radio station."

This amendment had been suggested by Chairman Paul Porter in a letter to Senator Wheeler, Chairman of the Interstate Commerce Committee. The provision should eliminate many conflicts between radio stations and proposed airports which would have otherwise occurred.

The Bill now goes to the House. The House Committee on Interstate and Foreign Commerce has already reported favorably on Chairman Lea's (D-Cal.), Bill for Federal Aid for Public Airports. Mr. Lea's Bill (H. R. 3615) contains a clause protective of broadcasters' rights by providing for hearings before the Administrator to any person "having a substantial interest in the disposition of any application by the Administrator."

Broadcasters' rights will be greatly enhanced if both these provisions can be secured in the law as finally adopted.

Broadcasters who have had difficulties in locating transmitter sites due to the location of airports or airways or who face such difficulties are urged to communicate their experiences and views to their members of the Senate and House of Representativs.

NAB would appreciate receiving copies of any such letters.

HOUSE RECOMMENDS DAYLIGHT TIME REPEAL

Repeal of wartime year-'round daylight saving time was adopted Wednesday (12) by the House, in passing a bill (H. R. 3974) which would abandon the stepped-up time on September 30.

The bill was introduced by Rep. Lyle Boren, Okla., Chairman of the House Interstate and Foreign Commerce Subcommittee, and was one of several introduced with the same general intent (NAB REPORTS, vol. 13, p. 387).

The bill now goes to the Senate, where little, if any, opposition is expected. If passed by the Senate, the President's signature will be the remaining requirement to make it effective.

POPE ADDRESSES AMERICAN BROADCASTERS

An Associated Press dispatch from Rome describes an address delivered on September 5 by Pope Pius XII to the group of American broadcasters who have recently returned from a tour of the European Theater of Operations. The dispatch reads in part as follows:

. . . "Like every human invention," the Pope said, "the radio can be used as an instrument of evil as well as good. It has been used, it is used to disseminate calumnies, to mislead simple, uninformed folk, to disrupt peace within nations and between nations.

"This is an abuse of a gift of God; and it is for the responsible directors, as far as possible, to check and eliminate it.

"Let the good accomplished by the radio always outrun the evil until the evil becomes weary and falls by the wayside. Is that too much to hope for? Certainly it is a noble goal, worthy of men's best efforts, and it is our fervent prayer . . ."

CONFIDENTIAL MATERIAL RELEASED

The Federal Communications Commission has been advised by the Joint Communications Board that the confidential testimony of the Allocations Hearing held March 12 and 13, 1945, has been declassified.

The classified material deleted from the Report of the Commission issued May 25, 1945, is now open to the public, and copies may be referred to in the FCC Office of Information, or in the NAB Library.

ANTI-INFLATION DRIVE CONTINUES

The concern of the President and Congress over the dangers of postwar inflation deserved the thoughtful attention of every broadcaster. Unless measures are taken to head off inflation, the future of the American system of free enterprise is certain to be greatly endan-

(Continued on next page)

gered. The President has pointed out that one of the outstanding achievements of the war has been our success in holding the line against inflation and that our big job now is to continue to hold that line until supply and demand can be gotten back into balance.

Radio, it is pointed out, can play a powerful part in bringing to the people a realization of the part which they play in meeting this most dangerous threat. They should be continuously reminded that the end of the war did not end the danger of inflation. In fact, postwar inflation is even more dangerous than in time of war. We learned that the hard way after World War I, when prices went up twice as fast after the shooting had stopped.

NAB has agreed to cooperate in the Government stabilization drive by assisting in sending to stations a limited number of spot announcements dealing with the subject. The first of these will have reached you by the time you get this issue of the REPORTS. We earnestly urged that they be given careful consideration as a part of your daily broadcasts.

DEVELOPMENT OF WIRE RECORDER CONTINUES

The extensive use of wire recorders by the armed forces during the war has focused the attention of broadcasters on this method of recording. Most of the wire recorders currently in use have the frequency range of about 100 to 5,000 cycles per second with a wire speed of 5 feet per second. The dynamic range is about 30 to 35 db.

The NAB Engineering Department is following closely the developments in this field as it is believed wire recorders will eventually broaden the program sources of broadcast stations. We are informed that a new stainless alloy wire, now being developed, together with certain improvements in the wire recorders, will result in improvement of the frequency response to a range of 55 to 13,000 cycles per second. The same developments will increase the dynamic range to approximately 55 db.

When the present developments are completed, wire recorders should be capable of a fidelity and dynamic range comparable to other recorder methods.

A demonstration of the improved wire recorder is scheduled for the Council on Radio Journalism meeting next Tuesday (18), at the Palmer House, Chicago.

It is believed that radio newsmen may be interested in adopting the wire recorder as a valuable working tool. If, as anticipated, the improvements permit low cost handling of local news and special events, all in the radio manner, the new recorder should be welcomed throughout the industry.

FORUM ON MARKETING DISCUSSED WITH PRESIDENT TRUMAN

"The First National Marketing Rally," a series of six conferences to be held on consecutive Mondays beginning October 22, in New York City, was brought to the attention of President Truman Monday, September 10, in Washington.

Elon G. Borton, President of the Advertising Federation of America, Don G. Mitchell, Vice President of the Sales Executives Club of New York and Charles E. Murphy, attorney for both organizations, called at the White House and discussed the conference with the Chief Executive.

Following the conference the following statement was issued:

"We discussed with the President the program for the forthcoming Forum on marketing to be held in New York City under the auspices of the Sales Executives Club of New York in collaboration with the Advertising Federation of America and the National Federation of Sales Executives.

"The President indicated his agreement with us that marketing, including merchandising, styling, selling and advertising, must function effectively if mass production is to produce full employment and a higher standard of living. We know we can produce on a tremendous scale; we now must demonstrate our ability to sell with like efficiency. The President assured us that he will send a personal message to the Marketing Forum which begins on October 22."

SEES PORTER INVITING PUBLIC PRESSURE UPON FCC

Writing in the September 6 issue of *PM*, Edwin Levin concludes a long discussion on FCC Chairman Paul A. Porter's recent address over CBS with the following observation:

"It is my guess that his [Porter's] assertion over CBS that franchises are often renewed despite vigorous protest was a plea for increased public pressure on both radio *and the FCC*—who are getting plenty of pressure now but from the wrong quarters."

"RADIO MUST GROW UP" REPRINTS DELAYED—ACCOMPANY THIS ISSUE

Last week NAB REPORTS carried an announcement that reprints of the article, "Radio Must Grow Up," written by Paul Porter, Chairman of the Federal Communications Commission, for the October *American Magazine*, were being mailed out with that issue of REPORTS.

The reprints did not arrive in time to be included. You will find your reprint with this issue of REPORTS.

INVITATION TO DO A JOB

Our men overseas appreciate "Let's Go to Town" programs. Armed Forces Radio Service say they have become a necessity. AFRS and NAB have prepared a kit of instructions which takes the guess work out of the question, "What kind of a show shall I produce?"

It's all there for you to read and invitation to make a hometown show for our men overseas is herewith extended. If you haven't done a "Let's Go to Town" program yet, and can, you are urged to do so.

Send for Kit and Decide

Write Art Stringer, NAB, for kit of instructions. Read it. Talk with your staff. You will find that a "production" is not wanted; only a good, down-to-earth program. Free aluminum base acetates will come when you say the word.

WHEB Ships Hometown Program

NAB District No. 1 has added another "Let's Go to Town" half-hour program to its record.

Latest show to be completed is the Portsmouth, N. H., program for which Burt Georges, WHEB, was Task Force Commander. Bob Fuller, production manager, turned the recordings over to air express, September 6.

WESTERN MUSIC INCLUDED IN SERIES

The nation's overseas fighting men continue to appreciate the special band programs which are being recorded by stations under the title, "Music from Your Hometown."

Up to this week there was a shortage of talent specializing in western music. But KOY, Phoenix, rectified that matter by offering a series by its staff band, "Buster Fite and His Western Playboys."

(Continued on next page)

This group operates its own pavilion, "The Plantation." According to Jack Williams, KOY, program manager, "Plantation" music is entirely western played "by typical Texas string band, or perhaps we might call it an Arizona string band. Anyway, this music is strictly indigenous to the Southwestern part of this country, and it will certainly ring familiarly in the ears of our men in service."

KVFD Will Produce

Ed Breen, president, KVFD, Fort Dorge, has volunteered to produce a complete series of "Music from Your Hometown." He found Larry Geer, of the Laramar and Expo Park ballrooms, highly receptive to the idea. Frankie Masters will be recorded tomorrow night (15).

Completion of additional "Music from Your Hometown" shows are reported as follows:

WBZ—Boston

"Two sets of 'Music from Your Hometown' programs, made by Leo Reisman and his orchestra, were shipped September 6," says Elizabeth W. Steele, recording supervisor, on behalf of Manager Cy Young.

KLZ—Denver

Peter D. Smythe, program manager, KLZ, Denver, wrote: "We shipped two more sets of 'Music from Your Hometown' today (6). One set stars Ted Weems and his orchestra; the other, Jimmy Palmer and his orchestra."

Station's first set of recordings, shipped to AFRS August 17, was immediately scheduled for broadcast. Mr. Smythe has already received favorable comment from many Denver men who heard the programs. "We and they think the idea is a wonderful one," he wrote.

KOA—Denver

C. C. Moore, program manager, KOA, Denver, air expressed two sets of "Music from Your Hometown" programs to Armed Forces Radio Service, Los Angeles, September 6. Both featured Frankie Masters.

Musical Talent Is Donated

Clearance given by AFM President Petrillo, transmitted by Major General F. H. Osborn, and distributed in "Let's Go to Town" and "Music from Your Hometown" kits by NAB, permits orchestras to donate their services for these overseas broadcasts.

TRUMAN, RADIO AND PRESS, HONOR PRICE

Byron Price, retiring censorship director, arrived in Berlin on September 10, on his mission to Germany as personal representative for President Truman, with the acclaim of Washington radio and press reporters and photographers ringing in his ears.

President Truman joined 300 newsmen in honoring Mr. Price at a reception at the National Press Club on Sept. 7 for his work in directing voluntary censorship during the war.

On behalf of the Washington radio and newspaper reporters and photographers, Mr. Truman presented a scroll to Mr. Price. It said that as censorship director the former executive news editor of the Associated Press had "reflected great credit on his profession."

The President said Mr. Price had been a "good public servant," and added that it is his own hope "that that will be my epitaph."

Edward Jamieson, president of the press club, who introduced Mr. Truman, said Mr. Price had made one of the Nation's outstanding contributions to the war effort.

Acknowledging the tribute, Mr. Price attributed his success to the co-operation of broadcasters and newspapers, and their personnel, throughout the country, who, he said, met all the tests of patriotism. He described the tribute as to his profession rather than to him personally.

Mr. Truman asserted it was to the outstanding credit of Mr. Price and to the patriotism of broadcasters and newspapermen that the Nation's press and radio had done nothing that would embarrass the Government in its fight for victory.

The President, accompanied by Mrs. Truman, entered the Press Club auditorium about 30 minutes after the reception began, shook hands with every one present, exchanged jokes with personal acquaintances and left 35 minutes later.

NAB President Harold Ryan, former assistant director of censorship, attended the reception.

On his new presidential assignment in Germany, Mr. Price will act as Mr. Truman's personal representative in advising Gen. Dwight D. Eisenhower and his American occupation forces on public relations.

It was disclosed at the reception that Col. Lloyd A. Lehrbas, former Associated Press reporter, is going to Germany as assistant to Mr. Price.

Col. Lehrbas, a veteran of the World War, was commissioned soon after the Japanese attack on Pearl Harbor and has been on the staff of Gen. Douglas MacArthur throughout the Pacific campaign. As an Associated Press correspondent, he saw the beginning of the war in Poland and was working in Washington when the United States entered the conflict.

RED CROSS APPEALS FOR COORDINATION

Christmastime will find our Army and Navy hospitals filled with the heroes of air, ground and sea battles. They will not be forgotten by their own relatives and friends. But many others will want to pay homage to these wounded men. Community groups may wish to honor them with gifts. Relatives and friends of men who will never return may find expression for their tribute to the dead by remembering them through the living.

All will want their gifts to be beneficial and useful. Careful planning, well in advance of Christmas, is necessary to achieve this end. There will be a Merry Christmas for all if gifts are selected on the basis of their suitability for patients and have similar monetary value. Gifts must be appropriate lest the joy of Yuletide be marred by a gift of slippers to an amputee or a book to a blinded patient.

American Red Cross hospital service personnel who serve the wounded have been assigned the responsibility for coordinating community interest, by military orders. The American Red Cross hospital executive in each hospital will confer with the commanding officer regarding his wishes for celebrating Christmas by the distribution of gifts for patients and convalescents, and by conducting traditional holiday activities in the wards and the hospital recreation room. Approved Christmas plans will then be made known to the Camp and Hospital Councils of the American Red Cross, who will collaborate with interested community groups and individuals in carrying out the holiday recommendations.

Camp and Hospital Councils have been organized by the American Red Cross in order to acquaint communities with the needs of adjacent hospitals. By coordinating plans, Camp and Hospital Councils can avoid duplication and confusion which might otherwise exist and be detrimental to the sick and wounded.

Individuals and groups who wish to bring added Christmas cheer to the men in military hospitals are urged to

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contact their local Red Cross chapters whose Camp and Hospital committees will coordinate plans and efforts so that Christmas, 1945, will long be remembered by the disabled men of our armed forces.

July, 1945.

ST. LOUIS NEWSPAPER STRIKE ENDS

The strike which had paralyzed publication of all newspapers in St. Louis since August 16 ended on Thursday, September 6. According to a dispatch released by Radio Station KSD, the unions had announced that their members would not return to work until instructed to do so by union officers. When the publishers and the six unions involved finally reached an agreement, the officers used the facilities of KSD to broadcast instructions to union members to return to work.

The three weeks strike placed the full burden of supplying news to St. Louisans upon the radio stations. All stations carried special news programs, several carried the comic strips, and a few employed extra reporters to cover local news stories. Special emphasis was given on all local items in the newscasts with as much as one-third of the time of the KSD news programs devoted to St. Louis items. Special information service was established by the station to provide personal attention on any news item in which listeners might be interested. Ten thousand, eight hundred and two calls were received and an analysis of the information reveals some interesting sidelights on what the public misses most when it cannot get its newspapers. Sixty-nine per cent of the listeners wanted to know what programs were scheduled at motion-picture houses; 7 per cent asked for data on troop movements and redeployment; 6 per cent wanted further information about death notices read daily over the station; 5 per cent asked for KSD news schedules; 4 per cent asked for baseball scores; and 9 per cent wanted information about the strike situation.

The experience of the radio stations in this strike gives definite proof of the effectiveness of radio's coverage of national, international and local news. The three weeks of the strike were those immediately following Japan's collapse. But St. Louis residents were kept abreast of developments.

The newspaper shut-down prompted members of the St. Louis Retailers Association, which includes all three major department stores and many important specialty shops, to break their long-established custom of not advertising by radio. Very satisfactory, and even sensational results were reported within a few days after advertising was first broadcast for the new clients. KSD was told by the famous Barr Company, the May Company store in St. Louis, that it had a tremendous response from their advertisement of a new insecticide containing DDT. The insecticide was not marketed until after the newspaper strike started and so was advertised exclusively by radio. More than 1,400 sales and 700 telephone calls were reported before 2:00 p. m. the day following the first announcements.

Klines, a leading women's ready to wear store, reported to KSD that clearance sales advertised exclusively over the air had proved successful. A college fashion show sponsored by the store and publicized exclusively by radio, drew a total attendance of more than 3,200 in two performances. Stix Baer and Fuller, another department store, reported satisfactory results.

CANADIAN SOLDIER SPEAKS ON FREE RADIO

From Canada comes the following comment on free radio as reprinted from the *Canadian Broadcaster:*

"'You through the radio have a greater power than the press to mold public opinion,' Western broadcasters were told by Captain Harper Prowse, soldier M.L.A. in the Alberta House.

"Capt. Prowse was guest speaker at the Western Association of Broadcasters annual banquet in the Palliser hotel, Calgary, August 6th.

"'Don't let anyone take it (the power) away from you,' he told the radio men, stating he favored 'a free press and a free radio where anyone has the right to say anything he thinks.'

"One thing radio lacked, he believed, was 'the newspaper editorial page. You need something more than just commentators to explain things to the public. You have a duty to society to be fair. Truth must be your only criterion.'

"The opportunity of a free press and a free radio for the future had been 'bought at a terrible cost—40,000 Canadians sleeping in foreign soil.'"

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 17. They are subject to change.

Monday, September 17

Further Hearing

KID—KID Broadcasting Company (Assignor), Idaho Radio Corporation (Assignee); Idaho Falls, Idaho—Voluntary assignment of license; **1350 kc.**, 500 watts night, 5 KW day, unlimited.

Wednesday, September 19

WINS—Hearst Radio, Inc. (Assignor), New York, New York; and The Crosley Corporation (Assignee), Cincinnati, Ohio.—Voluntary assignment of license and construction permit.

Thursday, September 20

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license; **590 kc.**, 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license; **1510 kc.**, 10 KW, unlimited, DA-night.

Federal Communications Commission Action

APPLICATIONS GRANTED

WHMA—Harry M. Ayers, Anniston, Ala.—Granted authority to determine operating power by direct measurement of antenna power.

WNEX—Macon Broadcasting Co., Macon, Ga.—Granted authority to determine operating power by direct measurement of antenna power in accordance with Sec. 3.54. The licensee hereunder is granted a waiver of Sections 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscillo-

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scope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available.

Eastern Carolina Broadcasting Co., Inc., area of Goldsboro, N. C.—Granted construction permit for a new relay broadcast station to be used with standard station WGBR; frequencies **31.62, 35.26, 37.34, 39.62 mc.,** 2 watts.

William B. Still, tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Granted modification of construction permit of experimental television station, to change frequency from Channel #13, **230-236 mc.** to (new) Channel #13, **210-216 mc.**

W3XAF—Philco Radio & Television Corp., Arlington County, Va.—Granted modification of construction permit which authorized a new experimental television broadcast station, for extension of commencement and completion date only from 3-16-45 and 9-16-45 to 9-16-45 and 3-16-46.

WRDN—Great Trails Broadcasting Corp., area of Dayton, Ohio—Granted extension of relay broadcast station license to November 1, 1945.

Gila Broadcasting Co., area of Safford, Arizona—Granted construction permit for new relay broadcast station to be used with standard station KGLU; frequencies **30.82, 33.74, 35.82, 37.98 mc.,** 25 watts.

WIBU—William C. Forrest, Poynette, Wisc.—Granted construction permit to install new vertical antenna and make changes in ground system.

KBTM—Jay P. Beard, tr/as Regional Broadcasting Co. (assignor), Jay P. Beard and Veda F. Beard, d/b as Regional Broadcasting Co. (assignee), Jonesboro, Ark.—Granted consent to voluntary assignment of license of station KBTM from Jay P. Beard, tr/as Regional Broadcasting Co. to Jay P. Beard and Veda F. Beard, d/b as Regional Broadcasting Company. No monetary consideration involved. Assignor is giving his wife (Veda F. Beard) a 49% interest in station KBTM, and he is retaining a 51% interest therein. (B3-AL-494)

Mutual Broadcasting System, Inc., Chicago, Ill.—Granted extension of permit under Sec. 325(b) of the Communications Act of 1934, as amended, to use studios and apparatus at affiliated stations and other points in the U. S. where its network programs may originate for production of programs for transmission to a group of Mexican stations known as "Radio Mil's Network" for broadcast.

ACTION IN DOCKET CASE

(Broadcast)

The Federal Communications Commission announces its Proposed Findings of Fact and Conclusions looking toward a denial, without prejudice to further proceedings along lines indicated in the opinion of the applications of Buffalo Broadcasting Corporation for renewal of licenses of Stations WKBW and WGR, Buffalo, New York (Dockets 6324 and 6325). In order to make such further proceedings possible, the Commission will grant the applicant temporary licenses for both Stations WKBW and WGR for a period of three months.

The Commission predicated its proposed denial of the renewal applications solely upon illegal arrangements involving lease agreements and contracts between the Buffalo Broadcasting Corporation and the Churchill Tabernacle. These included terms under which the applicant corporation "could not voluntarily or involuntarily assign, transfer, surrender, or otherwise dispose of its license without the written consent of the Tabernacle", and in the event the applicant corporation should fail to carry out its obligations under the contract, all the right, title and interest in said property, both real and personal, including the license for the operation of Station WKBW, would revert to the Churchill Association. In addition, a clause reserving certain specified hours of broadcast time over one of the Buffalo Broadcasting Corporation's stations for the "sole, exclusive and absolute disposition" of the Churchill Tabernacle prohibited the applicant from using these hours for the broadcasting of any other program which it may deem of greater public interest. The Commission, in its Proposed Findings, found that "the applicant has thus divested itself of its right, power and duty to exercise full and complete control over its stations during all of the hours for which it is seeking a license to operate and has rendered itself incapable of assuming the complete and ultimate responsibility of operation in the public interest imposed by the Communications Act of 1934."

The decision stated, however, that the Commission would permit the Buffalo Broadcasting Corporation to file a new application looking toward the re-licensing to it of one of the stations provided it was shown that no further effect was to be given to the illegal agreement between the station and the Churchill Tabernacle. While the second station cannot be re-licensed to the Buffalo Broadcasting Corporation because of Commission Rule 3.35 prohibiting one person from owning two stations in the same community, the Commission will permit it to apply for a transfer of the station.

The Commission's Conclusions follow:

"1. Section 301 of the Communications Act of 1934 provides that it is the purpose of the Act, among other matters, to provide for the use of radio channels under licenses granted by this Commission, and that no such operation is permissible except under and in accordance with the Act and with a license granted under the provisions thereof. The statutory plan of procedure to obtain a radio station license, modification, or renewal of license includes the submission of a written application under oath or affirmation so that this Commission may determine an applicant's legal, technical, financial and other qualifications (section 308(b) and 319(a)); whether it meets the citizenship requirements imposed by Section 310 of the Act; and whether the applicant or any party in interest has been adjudged guilty of violating anti-trust laws as set forth in Sections 311 and 313 of the Act. The Commission is directed to issue a license only after it is satisfied upon examination of an appropriate application and upon the record of any hearings held thereon that a grant would serve the public interest, convenience and necessity. Section 310(b) of the Act provides that a station license and the rights granted therein shall not be transferred, assigned or in any manner disposed of unless "the Commission shall, after securing full information, decide that said transfer is in the public interest, and shall give its consent in writing." These provisions are designed to insure that only persons who possess the requisite qualifications shall become station licensees, that only licensees shall use frequencies, and that operation of radio stations by licensees shall be in accordance with the terms of the licenses granted to them.

2. The Buffalo Broadcasting Corporation is seeking in this proceeding grants of its applications for renewal of licenses for Stations WKBW and WGR. However, under the terms of a contract executed May 8, 1931 it has agreed among other things to reserve over on of its stations 17½ hours of the 24 hour period from 6:00 A.M., Sundays to 6:00 A.M. Mondays of each week until September 20-27 for the "sole, exclusive and absolute disposition" of the Churchill Tabernacle, and to furnish free of charge to the Tabernacle during such hours all facilities for broadcasting, "including the necessary apparatus: telephone lines, power, operators, announcers, and all necessary, help, apparatus, equipment, and facilities." Unless the Tabernacle consents or acquiesces therein, the applicant is prohibited from using these hours for the broadcasting of any other program which it may deem of greater public interest. The subsequent agreements which have been summarized above give the Tabernacle additional rights with respect to the operation of the station. The applicant has thus divested itself of its right, power and duty to exercise full and complete control over its stations during all of the hours for which it is seeking a license to operate and has rendered itself incapable of assuming the complete and ultimate responsibility of operation in the public interest imposed by the Communications Act of 1934.

3. These contracts purport to give the Tabernacle the use of a radio channel for a limited time and obligate the applicant on behalf of the Tabernacle to obtain renewals of licenses of value to the Tabernacle which provide for reverter of the license in the event the applicant fails to afford it time and otherwise fails to carry out it obligations under the contracts. As we have heretofore held, such provisions are contrary to the Communications Act and are not in the public interest. (In re *The Associated Broadcasters, Inc., KSFO,* 6 F.C.C. 387, 392-3; in re *Alabama Polytechnic Institute, WAPI,* 7 F.C.C. 225, 228-230.) As we stated in our dis-

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cussion of the agreement involved in the WAPI case (7 F.C.C. 230):

> 'If this is a proper arrangement, the necessary consequence is that the holders of existing licenses need never relinquish their stations permanently, but are in a position to farm them out for a period of years, then return to their status as licensees, then perhaps again step aside for another period of years, again to revert to their original status. This, we believe, will be subversive of the general public interest.
>
> 'Such a practice, if sanctioned by the Commission, would have a tendency to bring about, if in fact it would not inevitably result in domination and control of radio broadcast facilities by persons or corporations to whom licenses therefor are once issued by the Commission, and who, thereafter, although not operating the stations themselves, exact tribute in the form of rental from those actually using the facilities to serve the public.'

4. To renew applicant's licenses in the light of the present records would be to sanction an arrangement for the operation of stations WKBW and WGR which is in contravention of basic principles of the Communications Act of 1934. Therefore, the Commission proposes to deny the renewal applications. This action is, however, without prejudice to further proceedings along the lines indicated below.

5. The failure of the Buffalo Broadcasting Corporation to make full disclosure in its reports to the Commission of its agreements with the Churchill Tabernacle indicates a lack of candor and care in the preparation of the reports. While this has a direct bearing on the applicant's qualifications, we do not conclude that in this case the omissions were so serious—particularly in view of the fact that one of the basic agreements was before the Federal Radio Commission—as to require the applicant to be deprived of the value of the stations which it has successfully operated for more than fifteen years. Nor, do we conclude that for this reason the applicant should be found disqualified to ever again operate a radio station. Accordingly, we are predicating our proposed denial of the renewal applications solely upon the illegal arrangements between the applicant and the Churchill Tabernacle which would be condoned if licenses were granted on the basis of this record. And we are further providing that our denial of these renewals is without prejudice to further proceedings as follows:

> (a) In view of the fact that it appears that, even apart from the illegal agreement with the Churchill Tabernacle, the continued operation by applicant of two stations in Buffalo, New York, would violate the Commission's Rule 3.35 prohibiting the operation by a single interest of more than one station in the same community, the Commission will permit the filing by the Buffalo Broadcasting Corporation of an application for consent to transfer either WKBW or WGR, provided it is affirmatively shown that any agreement for transfer does not in any way give further effect to the leases and agreements between the applicant and the Churchill Tabernacle which we have here found to be violative of the Communications Act.
>
> (b) The Commission will also permit the filing by the Buffalo Broadcasting Corporation of a new application looking toward the licensing to it of the present facilities of either WKBW or WGR, provided it is affirmatively shown that if such application were granted, the Buffalo Broadcasting Corporation would have the exclusive use and control of the station and no further effect would be given to the leases and agreements here declared to be illegal.
>
> (c) In order to make such further proceedings possible, the Commission will grant the applicant temporary licenses for a period of 3 months, provided that 10 days after this decision becomes final the applicant files with the Commission a statement which establishes that applicant has full control over the operation of the stations and no further effect is being given the agreements here found to be illegal."

The Federal Communications Commission today announced adoption of an Opinion and Order in the matter of the application for renewal of license of Station WSOO, Hiawathaland Broadcasting Company, Sault Ste. Marie, Mich., (Docket No. 6208).

The issues in this renewal proceeding related to failure of applicant to file annual reports or respond to notices requesting information, and to the general unbusinesslike manner in which the station was operated.

However, it appears that applicant has made substantial improvements in conduct of the business of station WSOO. This is the only United States station affording primary service to the Sault Ste. Marie City and area, and the continuation of that service is believed to be in the public interest.

In view of the record in the case, the Commission ordered that the application for renewal of license be granted for the period ending June 1, 1946, with reservation that in the event of a further failure on the part of the applicant to observe the regulations as to the filing of financial and other reports, a further proceeding will be held in which the entire record of the station as set out in the Commission's decision, together with any subsequent failures or derelictions, will be considered.

LICENSE RENEWALS

WBRW—McDowell Service Co., Welch, W. Va.—Granted renewal of license for the period ending February 1, 1947.

WING—Great Trails Broadcasting Corp., Dayton, Ohio—Present license further extended upon a temporary basis only, for the period ending November 15, 1945.

KENO—Maxwell Kelch and Laura Belle Kelch, d/b as Nevada Broadcasting Co., Las Vegas, Nev.—Granted renewal of license for the period ending August 1, 1947.

WMIN—WMIN Broadcasting Co., St. Paul, Minn.—Granted renewal of license for the period ending August 1, 1947.

WHOT—South Bend Broadcasting Co., South Bend, Ind.—Granted renewal of license for the period ending August 1, 1948.

MISCELLANEOUS

The Commission adopted Order No. 110-A, providing that the license term for international broadcast stations presently licensed shall end at the earlier of the following dates: (a) April 1, 1946, or (b) the first day on which its operations are not controlled, by agreement or otherwise, by the Office of War Information, the Coordinator of Inter-American Affairs, or other governmental agency supervising the operation of international broadcasting.

It also provides that the portion of Sec. 4.3 of the Rules and Regulations which established for international broadcast stations a normal license term of one year is suspended until further order of the Commission.

WPIC—Sharon Herald Broadcasting Co., Sharon, Pa.—Denied Special Service Authorization to operate with power of 100 watts or 250 watts, from 6 a.m. (EST), to local sunrise, for the period ending May 1, 1946.

APPLICATIONS FILED AT FCC

740 Kilocycles

NEW—Central Florida Broadcasting Co., Orlando, Fla. (P.O. Box 2889).—Construction permit for a new standard broadcast station to be operated on **740 kc.**, power of 1 KW employing directional antenna day and night and unlimited hours of operation.

930 Kilocycles

WRRF—Tar Heel Broadcasting System, Inc., Washington, N. Car.—Construction permit to increase power from 1 KW to 5 KW and install new transmitter.

1080 Kilocycles

NEW—Mid-America Broadcasting Corp., Louisville, Ky.—Construction permit for a new standard broadcast station to be operated on **1080 kc.**, power of 1 KW night, 5 KW daytime, unlimited hours of operation and using directional antenna day and night. Amended: re change in type of transmitter and change number of stockholders.

1230 Kilocycles

WMFR—James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR, High Point, N. Car.—Construction permit to move transmitter and studio locally.

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1240 Kilocycles

NEW—Harold Thomas, Waterbury, Conn. (P.O. 71 Grand St.)—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation. (To be considered with B1-P-3950 for WATR.)

KGHI—A. L. Chilton, Leonore H. Chilton and S. C. Vinsonhaler, a partnership, d/b as KGHI Broadcasting Service, Little Rock, Ark.—Construction permit to change frequency from **1230 kc.** to **1240 kc.**, install new antenna and ground system, and change transmitter and studio locations locally.

1270 Kilocycles

WSPR—WSPR, Inc., Springfield, Mass.—Construction permit to increase power from 1 KW day and 500 watts night to 1 KW day and night and make changes in directional antenna for day and night use.

1320 Kilocycles

WATR—Harold Thomas, Waterbury, Conn.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and directional antenna for day and night use, change transmitter location from Baldwin Ave., Waterbury, Conn., to near Main and Cooper St., Agawam, Mass., and studio location from 71 Grand St., Waterbury, Conn., to a site to be determined, Springfield, Mass.

1400 Kilocycles

NEW—News Publishing Co., Charlotte, N. Car. (P.O. 126 S. Church St.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation.

1450 Kilocycles

NEW—Rupert W. Bradford and Harry F. Pihl, a partnership, d/b as Bradford & Pihl, Bemidji, Minn. (c/o Rupert W. Bradford, 1413 Calihan Ave.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

1480 Kilocycles

KGLU—Gila Broadcasting Co., Safford, Ariz.—Construction permit to change frequency from **1450 kc.** to **1480 kc.**, increase power from 250 watts to 1 KW, install new transmitter, make changes in antenna and ground system and change transmitter location.

1490 Kilocycles

NEW—Western Massachusetts Broadcasting Co., Pittsfield, Mass.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 100 watts and unlimited hours of operation. Amended: re changes in transmitting equipment.

FM APPLICATION

NEW—Curtis P. Ritchie, Pueblo, Colo. (P.O. 1101 E. 8th St.)—Construction permit for a new high frequency (FM) broadcast station to be operated with coverage of 2,703 square miles.

TELEVISION APPLICATION

NEW—National Broadcasting Co., Inc., Washington, D. C. (P.O. 60 Broad St., New York, N. Y.)—Construction permit for a new experimental television broadcast station to be operated on Channel #4 **(66-72 mc.)**, A5 and special emission for FM.

MISCELLANEOUS APPLICATIONS

W3XL—Everett L. Dillard, tr/as Commercial Radio Equipment Co., Washington, D. C.—Modification of construction permit (B1-PEX-43 as modified for a new developmental station) for extension of required date of completion from 9-15-45 to 12-15-45.

W3XLA—Everett L. Dillard, tr/as Commercial Radio Equipment Co., area of Washington, D. C.—Modification of construction permit (B1-PEX-44 as modified for a new developmental station) for extension of required date of completion from 9-15-45 to 3-15-46.

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting and Television Company, area of Salt Lake City, Utah (P.O. 29 South State St.)—Construction permit for a new relay broadcast station to be operated on **30.82, 33.74, 35.82** and **37.98 mc.**, power of 17 watts and A3 emission.

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting and Television Company, Salt Lake City, Utah (P.O. 29 S. State St.)—Construction permit for a new developmental broadcast station to be operated in the band **92.1-103.9 mc.**, power of 100 watts and special emission for FM.

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting and Television Company, area of Salt Lake City, Utah—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 250 watts power and A3 emission.

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting and Television Company, area of Salt Lake City, Utah—Construction permit for a new relay broadcast station to be operated on **30.82, 33.74, 35.82, 37.98 mc.**, power of 0.2 watts and A3 emission.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

American Mercury, Inc., 570 Lexington Ave., New York, and its officers, Lawrence E. Spivak and Joseph W. Ferman, are charged in a complaint with selling reprints of books without making adequate disclosure that they are abridged. (5377)

Bolger Bros.—Violation of the Wool Products Labeling Act is alleged in a complaint issued against Bolger Brothers, Germantown, Philadelphia, engaged in garnetting or reclaiming wool waste material composed of spun, woven, knitted or felted yarns or fabrics. (5378)

H. D. Fine Co., et al.—A complaint has been issued charging Herbert D. Fine, 400 Lakeside Ave., N. W., Cleveland, Ohio, with misrepresenting the properties and effectiveness of the Plasti-Kote paints and varnishes he sells. Fine, who trades as H. D. Fine Co., Plasti-Kote Co., and Plastic Coating Co., maintains branch offices at 227 South Los Angeles St., Los Angeles, and 122 East 42nd St., New York. (5379)

Royal Bead Novelty Co.—Two complaints have been issued directed against the deceptive practice of representing and selling

(Continued on next page)

imitation or cultured pearl necklaces of foreign origin as being domestic products.

One complaint (5374) names Louis Detkin and Lillian Detkin, trading as Royal Bead Novelty Co., 34 West 32nd Street, New York, as respondents. The other (5375) is directed against Jack J. Felsenfeld, 15 Maiden Lane, New York.

Worthwhile Hatcheries, 101 West North Ave., Baltimore, are charged in a complaint with misrepresentation in connection with the sale of baby chicks. (5376)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Boncilla Laboratories, Inc.—A stipulation has been approved in which Boncilla Laboratories, Inc., Indianapolis, and its president, John M. Price, agree to cease representing that their cosmetic designated Boncilla Beautifier will smooth out lines, help correct signs of age or imperfections, or give one a clear complexion, or that it is effective in correcting lines, blackheads or blemishes.

DePree Co., Holland, Michigan, stipulated that it will discontinue representing that its vitamin preparation designated "Wheatamin Brand Panto-Caps," the principal ingredient of which is calcium pantothenate, restores the natural color to hair or prevents it from turning gray. The stipulation also was signed by Maurice R. Quick, Grand Rapids, Michigan, advertising agent for the DePree Co., who prepared and disseminated advertisements for Wheatamin Brand Panto-Caps. (03294)

Isadore Posner, 111 West 128th Street, New York, selling and distributing cosmetic preparations including one designated "Posner's Hair Coloring," has stipulated to cease and desist from disseminating any advertisement which represents that the preparation is safe for use, or which fails conspicuously to reveal thereon the cautionary statement: "CAUTION: This product contains ingredients which may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows; to do so may cause blindness." The stipulation provides, however, that if the directions for use, whether appearing on the label or labeling, contain an adequate warning of the product's potential danger to health, the advertisement need contain only the statement: "CAUTION: Use only as directed." (4103)

J. Rafelman & Co., Norfolk, Va., stipulated that they will cease disseminating advertisements which fail to disclose conspicuously that certain naval insignia they sell do not comply with the uniform regulations of the United States Navy. (03295)

Rema Umbrella Manufacturing Corp., Ridgefield Park, N. J., and its president, Edward Schmidt, has been ordered to discontinue advertising, labeling, invoicing or selling umbrellas composed in whole or in part of rayon without disclosing such fact by use of the word "Rayon." The respondents also agree that when a product is composed partly of rayon and partly of fabrics or materials other than rayon, they will cease failing to disclose, in immediate connection with the word "Rayon," and in equally conspicuous type, each constituent fiber of the product in the order of its predominance by weight, beginning with the largest single constituent. (4101)

Verona Tool Co., 235 Verona Ave., Newark, N. J., engaged in the sale of reconditioned files, stipulated that it will cease and desist from representing that previously used or worn files are new merchandise, by failure adequately to remove from such products the original trade-mark or trade name, and by failure to stamp thereon, in conspicuous and legible terms, a statement that such files are "reconditioned" or "rebuilt." (4102)

FTC COMPLAINT DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Shirbee Hat Co., Inc., formerly engaged in the manufacture and sale of millinery at 42 West 38th St., New York, with price discrimination in violation of the Robinson-Patman Act. The respondent corporation has been dissolved and is no longer engaged in business.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 38, September 21, 1945

National Radio Week, November 4-10

Spearheaded by full cooperation from each of the four major networks, National Radio Week, November 4-10, will climax the observance of Radio's Twenty-fifth Anniversary for the year 1945.

Meeting in New York City Wednesday, September 19, with Willard D. Egolf, NAB Director of Public Relations, officials of the American Broadcasting Company, Columbia Broadcasting System, Mutual Broadcasting System and National Broadcasting Company outlined programming and promotion plans to celebrate twenty-five years of American radio. Officials of the new Associated Broadcasting Company, unable to be present due to their own network management meeting, asked to be acquainted with the plans so that Associated may participate.

Network representatives at the New York meeting were: from the American Broadcasting Company, H. B. Summers, Adrian Samish and Norman J. Ostby; from Columbia Broadcasting System, George Crandall, Douglas Coulter, Paul Hollister and William C. Gittinger; from Mutual Broadcasting System, Robert Swezey, Phillips Carlin, Edgar James, Francis Zuzulo and Robert A. Schmid; from the National Broadcasting Company, William S. Hedges, C. L. Menser, Easton Woolley, James Nelson and Syd Eiges.

The dates, November 4-10, for National Radio Week, were selected by the Public Relations Committee of the National Association of Broadcasters in collaboration with the Committee on Network Participation in Radio's Twenty-fifth Anniversary, composed of Mark Woods, ABC; Dr. Frank Stanton, CBS; Frank Mullen, NBC, and Robert Swezey, MBS.

Decision on the week, released from Washington, Friday, September 14, by the NAB News Bureau, was accompanied by the following statement of J. Harold Ryan, NAB President:

> "For the first eight months of 1945 the radio stations and networks observed the industry's twenty-fifth year in the form of an intensified war effort. While acknowledgements have been received from others with great appreciation, the broadcasters have devoted their time and facilities to the prosecution of the war. Now that victory is achieved, it is appropriate that radio should select a week in which to familiarize the public with the origin and growth of the American system of broadcasting, its role as a guardian of free speech, and the contribution it is making to the welfare of the nation and the individual citizen."

CLOSE STATION-NETWORK COOPERATION URGED

NAB urges careful correlation of local station plans with those of the networks, which, during National Radio Week, will originate programs of national and international interest while carrying the Anniversary theme throughout the full week's schedule.

(Continued on next page)

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

CLOSE STATION-NETWORK COOPERATION URGED

(Continued from page 413)

At the Wednesday meeting in New York network officials discussed special programs as well as methods of incorporating the theme in established shows, sustaining and commercial. Network promotion and station relations departments will acquaint affiliates with all developments.

Recognition from Others

Thus far in the Anniversary year, the broadcasting industry has received recognition notably from Kiwanis, International and the United States Junior Chamber of Commerce, through Kiwanis Radio Week in May and Jaycee Radio Week in August. National Radio Week is expected to attract acknowledgements from many national and international organizations, as well as friends from abroad. Trade and civic organizations and citizens' groups are known to be in readiness to lend endorsement to the American system of broadcasting on this occasion. The Radio Manufacturers' Association plans to present the broadcasting industry with a statuette commemorating its Silver Anniversary, duplicates in plaque form to be presented to individual stations and networks throughout the country accompanied by advertising and publicity on the part of manufacturers, wholesalers, distributors and dealers.

NAB Clearing House

The NAB Public Relations Committee will act on behalf of the industry in National Radio Week planning, with the collaboration of the Committee on Network Participation. Bulletins will keep all stations and networks constantly informed.

SENATE PASSES DAYLIGHT TIME REPEAL BILL

As NAB Reports go to press the Senate unanimously passed the daylight savings time repeal bill which calls for return to standard time September 30. The House having previously passed the bill, it now goes to the President whose signature is assured.

Thanks are in order for all broadcasters who wired their representatives asking for passage of the bill.

AWD CELEBRATES RADIO'S 25TH ANNIVERSARY

On November 4th, the members of the Association of Women Directors will devote their programs to the theme of radio's 25th anniversary. A blueprint is being sent to each member giving various methods of handling. In each of the 270 cities, these women directors of 425 stations plan to address local women's clubs and service groups using as theme various aspects of the American System of Broadcasting. Special material is being released to heads of national women's groups such as the General Federation of Women's Clubs, YWCA, United Council of Women, Girl Scouts, PTA, etc., for use by these organizations.

HOLLYWOOD BOWL STAGES RADIO CELEBRATION

As part of NAB's plans for the celebration of radio's 25th anniversary, Dorothy Lewis, Coordinator of Listener Activity, announces that a series of mass meetings for radio listeners are scheduled this fall in various parts of the country. The first one will take place in the Hollywood Bowl on September 29th. Mr. William B. Ryan, NAB District Director, and Chairman, Radio Division, Victory Chest, has been working on this project for several months. The committee consists of: Sidney Strotz, Chairman of Bowl Committee, Don Searle, D. W. Thornburgh, Lewis A. Weiss and R. O. Reynolds.

Kay Kyser, Eddie Cantor, Bob Hope, Lionel Barrymore, Dinah Shore, Orson Welles, Meredith Willson are some of the top talent that will salute 60,000 Victory Chest Volunteers. Governor Earl Warren will present citations of merit. NAB's new President, Justin Miller, may participate. This event is sponsored by the radio industry. There is no admission charge or solicitation of funds.

Later on, in Minnesota, the St. Paul Institute, an expected audience of 22,000 will witness several network shows originating on the platform and hear top radio executives. A show depicting radio's development in the Northwest will be featured. All local stations and the Minnesota Radio Council will join in the celebration. Tributes will be paid to industry leaders. Radio Councils in many key cities will carry on similar projects.

MILLER LEAVES BENCH

Justin Miller, NAB President-elect, resigned, effective October 1, his position as Associate Justice of the United States Court of Appeals for the District of Columbia. He will terminate almost seven years of service upon that bench.

President Truman, in accepting Justice Miller's resignation, said: "It has been your privilege to serve the Federal Judiciary in a period of grave crisis both in peace and in war."

In presenting his resignation to the President, Justice Miller said that he regretted leaving the Court but that he looked upon the opportunities with NAB as outweighing even the responsibilities of judicial office.

E. Barrett Prettyman, former President of the District of Columbia Bar Association, has been named to succeed Justice Miller.

PELLEGRIN REJOINS NAB

Frank E. Pellegrin, who was the first Director of the NAB Department of Broadcast Advertising (March, 1941 to July, 1942), has rejoined the NAB staff in his former capacity. He succeeds Lewis H. Avery, who resigned September 15 to launch his own station representative company.

Pellegrin left the NAB to join the Radio Section of the War Department's Bureau of Public Relations, assisting Colonel Ed Kirby, former NAB Public Relations Director. Pellegrin rose from the rank of Captain to that of Lieutenant Colonel. He saw service in Africa, Sicily, Italy and on the European front, having gone in with the Allied forces on D-Day. He was honorably discharged from the Army and took up his old duties at NAB on September 15.

(Continued on next page)

Mr. Avery, who has served as NAB Director of Broadcast Advertising from October 1, 1942, until the fifteenth of this month, has opened offices in New York (565 Fifth Avenue) and in Chicago to conduct his station relations enterprise. His service to NAB has been noteworthy. The industry is extremely fortunate in being able to bring Mr. Pellegrin back as his successor.

MUZAK ABANDONS SUBSCRIPTION RADIO

The Federal Communications Commission on September 20 received the following letter from Mr. William Benton, Subscription Radio, Inc., dated September 14, 1945, following his appointment as Assistant Secretary of State:

"Dear Mr. Porter:

"My appointment as Assistant Secretary of States forces upon me and my associates the necessity of abandoning our present plans for the development of Subscription Radio. Mr. Joseph L. Weiner, our legal counsel, had been working for some time on an application for three radio frequencies in New York City. This application was complete and ready for submission. A Board of Directors' meeting had been called for September 7, to approve the application, and our plans were to submit it to the FCC within the next week.

"We have spent much time and effort on developing a programming schedule for the third wave band. Apart from the time of myself and Messrs. Hutchins and Ruml, who are the other directors of Subscription Radio, and apart from the considerable amount of time and effort of other executives connected with the Muzak Corporation and the Encyclopaedia Britannica—these two companies have incurred substantial out-of-pocket expenditures in their investigation and study of Subscription Radio. Of course, the interest of the Muzak Corporation, of which I and my family are the owners of the common stock, goes back for several years to the experimental license granted in 1941.

"However, the plans for the future revolved to a major extent around my personal background in the broadcasting business and in education, and around my personal faith in the potential opportunity for Subscription Radio. Without my active participation it seems to the other directors and their advisors and associates unwise and unsound to launch the venture. Furthermore, my official duties will require close cooperation with all media of communication and I feel that neither I nor corporations which I control should enter into such a new venture in broadcasting.

"I feel that I owe this explanation to you and to your associates in view of the courteous and extended consideration which you have given to this matter.

Very sincerely yours,
/s/ Wm. Benton.

Mr. Paul A. Porter, Chairman
Federal Communications Commission
Washington, D. C."

OPA ACTS ON PARTS PRICES

The Office of Price Administration on Tuesday (18) authorized the manufacturers of radio parts except tubes to make delivery of original equipment parts to radio set manufacturers at prices that may be adjusted upward later when final reconversion pricing factors now under study are determined.

The adjustable pricing may be used only for parts sold for installation as original equipment in radio sets. Manufacturers, in order to use adjustable pricing, must file with OPA a list of the prices they actually used in March, 1942, in sales of similar original equipment. Radio parts prices for replacement in the repair sets are not affected by the action and can continue to be the highest prices individual sellers charged during March, 1942.

The adjustable pricing order, according to OPA, is being issued to facilitate production and delivery of parts to radio set makers and permits set manufacturers to go ahead with output of new sets.

CORRECTION OF FM RULES

In NAB Information Bulletin—FCC Rules, Vol. 13, No. 4, issued last week, there was an omission in the release received from FCC. On page 8 as part of 3.287 the following additional paragraphs should be added:

(d) In the case of variety show programs, baseball game broadcasts, or similar programs of longer duration than 30 minutes, the identification announcement shall be made within 5 minutes of the hour and of the times specified in subdivision (2) of paragraph (a) of this section.

(e) In the case of all other programs the identification announcement shall be made within 2 minutes of the hour and of the times specified in subdivision (2) of paragraph (a) of this section.

(f) In making the identification announcement the call letters shall be given only on the channel of the station identified thereby.

CO-ORDINATION OF GOVERNMENT PROGRAMS EXPLORED

On Friday (14) a meeting of the heads of the publicity departments of several of the agencies of Government, and including representatives from the disbanded Office of War Information, met in Washington to explore the possibilities of setting up some plan whereby clearance of Government messages to radio stations and other media may be continued.

There are some 40 agencies of Government which have been clearing material on the local allocations plan through OWI. To handle these local allocations 13 District offices had been maintained. These were discontinued on the fifteenth.

Both the Government officials, as well as representatives of the radio industry, recognize the desirability of creating some means whereby announcements concerning Government campaigns may be classified in accordance with their importance. A Committee was appointed to work out the details of a plan. NAB participated and will cooperate actively with the representatives of the Government agencies.

NABET STRIKE ENDS

The strike by the members of the National Association of Broadcast Engineers and Technicians (NABET) (see NAB Reports, page 401) lasted for some twenty-five hours when negotiations with the National Broadcasting Company and the American Broadcasting Company were resumed, with the technicians returning to their posts.

An interesting reaction to this strike was an editorial published by the New York *Sun* on Thursday (13). The editorial follows:

"When two of the major broadcasting chains were hit last night by a sudden strike of studio engineers and technicians, those seeking to tune in familiar programs were aware of the stoppage. It was not just something they read about, a walkout in a distant city, but something which, if it inflicted no great hardship, at least directly hit them.

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"As is often true, the public gets few details on which to base sound judgment. Negotiations between the two companies and the National Association of Broadcast Engineers and Technicians stopped suddenly with what the union spokesmen call a rejection of their demands. These are described only in general terms as requests for higher wages, an eight-hour day and better employment conditions—the companies say the wage increases sought range from 40 to 60 per cent. Shortly thereafter the companies received a thirty-day strike notice under the provisions of the Smith-Connally act. Half an hour after the receipt of that notice technicians and engineers in many studios throughout the country walked out. Back of the recessed negotiations was controversy between the technicians' union and James Caesar Petrillo's powerful Federation of Musicians. This had even reached the courts, which made the technicians bargaining agents for the "platter turners," who operate the recorded broadcasts. The union argues that the broadcasters were not bargaining in good faith because of their fear of what Petrillo, in spite of a court order, might do to them. The public is hardly likely to find this a justification for the sudden walkout. they will feel themselves, like the companies, caught in the middle and it will increase their impatience with a system which makes a fetish of the right to strike but does little to see that that right is not abused."

UNION COMMENDS RADIO STATION

In a letter to the manager of KSD, the president of the St. Louis Newspaper Guild and spokesman for the Inter-union Conciliation Committee, which was created during the recent newspaper strike in St. Louis, commended the station as follows:

"May I express the sincere appreciation of the St. Louis Newspaper Guild and the Inter-union Conciliation Committee for the fair and objective manner in which your station presented the news arising from the carriers' strike, and the lock-out of other employees of the Pulitzer Publishing Company during the period from August 16 to September 7, 1945.

"Despite the terrific handicap under which your news gathering forces had to operate during this period, the presentation of news on KSD was fair, accurate and impartial.

"May I congratulate you and the members of your staff upon the attainment of such a high degree of journalistic objectivity."

TRAFFIC SAFETY PROGRAM URGED

Lee B. Wailes, Manager of Westinghouse Radio Stations, Inc., in a letter to President Ryan suggests a public service activity which should interest all radio station operators. Mr. Wailes points out in his letter that one of the most serious problems that will be facing the country in the near future is that of traffic accidents involving serious injury and fatalities. The end of gasoline rationing and the removal of restrictions upon speed, coupled with the fact that new tires have not been available, introduces very dangerous elements. The prospect that new tires and new cars will be some time in coming suggests that accidents may reach alarming figures. "This," says Mr. Wailes, "seems to me to afford a splendid opportunity for broadcasters of the nation to render a valuable service to the public. In cooperation with the various local traffic safety commissions, broadcasters might well be able to contribute to the saving of lives and property through broadcasts stressing safe driving."

In reply to Mr. Wailes, President Ryan indicated that some informal conferences will be held with officials of the National Safety Council to explore the possibility of working out a co-ordinated program. Meantime station management should give some thought to this matter and if any have suggestions to offer, they will be welcomed by NAB.

In this connection the following editorial from the Seattle (Wash.) *Sunday Times* (16) is pertinent:

"The National Safety Council, which jogs our conscience at intervals on the nation's accident toll, gives new warning to postwar motorists.

"Total registration of motor vehicles in 1944 decreased 1.3 per cent, compared with 1943. Deaths from motor vehicle accidents increased 2 per cent. The toll in 1944 was 24,300. Even with all wartime restrictions in force, and the number of automobiles in use declining, the death rate went up.

"Our cars were getting older last year. They are older still in 1945, and they are being driven harder. From present indications, the National Safety Council will have worse, not better, news for us in 1946."

FCC SETS TELEVISION HEARING

The Federal Communications Commission on Thursday (20) announced that hearings on proposed television rules and regulations have been scheduled to open on October 4.

NARBA MEETING SET FOR WASHINGTON IN DECEMBER

According to reports reaching NAB from Rio de Janeiro, where the Third Inter-American Radio Conference has been in session since September 3, there will be a meeting of the signatory countries to the agreement in Washington during December of 1945. This meeting has become necessary due to the refusal of the Cuban delegation to consider extension of the present North American Radio Broadcasting Agreement for an additional year.

It is reported that Cuban dissatisfaction with the present treaty is due to a desire to provide for the establishment of class II stations within the present protective zone of 650 miles. The Cuban delegation also claims that more than seventy per cent of the channels assigned to that country are not satisfactory for use at night. Representatives of the Canadian government at Rio proposed a two-year extension of the present treaty which expires in March 1946 and the U. S. delegation was reported agreeable to a one-year extension of the present treaty.

According to our information, the Cuban delegation desired immediate discussion of the NARBA treaty at Rio de Janeiro. This proposal was countered by the suggestion of the United States representatives that a separate conference be held in the Northern Zone for the purpose of working out a compromise satisfactory to Cuba and the other signatory nations in order that the life of the treaty may be extended. Many of the delegates and observers in attendance at Rio now believe it will be possible to extend the treaty for one year, with slight modifications, during the course of the Washington Conference.

ADVERTISING COUNCIL TO CONTINUE

The organization which came into being early in the war, and of which NAB was an integral part, known as the War Advertising Council, which has done such an outstanding job in co-ordinating the activities of advertisers and media in co-operating in the war effort, has announced plans for peace time continuation.

A booklet entitled "From War to Peace," issued by the Council, will be sent shortly to all NAB member stations. It outlines future plans.

ELMER DAVIS RESIGNS—DALTON TO LIQUIDATE OWI

OWI domestic branch will be completely liquidated by October 6, according to Elmer Davis, who incorporated

(Continued on next page)

this prediction in his letter of resignation to President Truman. Davis' resignation was accepted, and the President designated Neil Dalton, director of the OWI domestic branch as acting head of the entire agency, now in process of liquidation. Lewis G. Cowan, chief of OWI overseas branch New York office, also resigned.

In accepting Mr. Davis' resignation, President Truman's letter to him said in part:

"I know you took a thankless job when dark days were ahead. I know also that you made a great personal sacrifice to serve the nation in its hour of need. As part of your reward, you have received more than your share of brickbats. But it is my firm conviction that you deserve the thanks of the nation for a job well done."

OWI Boquet to Broadcasters

In a letter dated September 17, addressed to station and program managers of 68 stations in New York and New Jersey, Harry C. Levin, regional chief of station relations division of OWI, praised the wholehearted and efficient manner in which broadcasters cooperated with government agencies through the OWI allocation during the war. Said Mr. Levin:

"Without your generous, never-failing help, the U. S. Government, in the person of the OWI Domestic Radio Bureau, could not have done the job of informing the people of New York City and vicinity, about the important and often crucial home front tasks that had to be done, before we could win this war.

"Uncle Sam doesn't hand out ribbons or citations to civilians. They go to the men and women who fought the good fight in uniform. But I hope you'll take individual and personal satisfaction in having an equal and important part in winning that fight."

NEW STATE DEPARTMENT UNIT TAKES OVER OWI FOREIGN ACTIVITIES

A permanent agency to tell the American story abroad and promote world freedom of information was established yesterday by the State Department.

Secretary of State Byrnes formally created the Office of International Information and Cultural Affairs, with these announced objectives:

1. The coordination and direction of the formulation of policy and the taking of action in the field of international information and cultural affairs.

2. Development of policies and programs promoting freedom of information among peoples.

3. The furtherance of international interchanges of persons, knowledge, and skills with other countries.

4. Coordination of the programs and activities of other Federal agencies in the international interchanges of persons, knowledge, and skills with over-all United States foreign policy.

The new agency will begin operations January 1. Until then, foreign news services formerly operated by the Office of War Information and the Office of Inter-American Affairs, will be handled by a State Department agency known as the Interim International Information Service.

The interim service will be directed by Ferdinand Kuhn, Jr., former New York *Times* editor and reporter. He also will be acting director of the permanent agency for the time being.

ASSOCIATED NET LAUNCHED—PORTER SPEAKS

America's fifth network, the *Associated Broadcasting Corporation*, went on the air at 2 p.m., Sunday Sept. 16, 1945, with a christening address by Chairman Paul A. Porter of the Federal Communications Commission. Mr. Porter spoke from the studios of WWDC, Washington.

In all, thirteen programs originated in the studios of WWDC on the opening day of the new network.

Associated officials were hosts at a reception, which had as guests representatives of radio, press, Congress, the FCC and other Government agencies.

Mr. Porter launched the new network by sounding a small chime before delivering his address. The chime, mounted upon a desk set, was presented to him as a memento of the occasion. It carried the following inscription: *The first sound heard over the Associated Broadcasting Corporation network from coast to coast was the tone sounded by this chime—rung by Paul A. Porter, chairman of the Federal Communications Commission, at 2 p.m. EWT, September 16, 1945.*

Chairman Porter's address inaugurating Associated as a network follows in full:

"Today, the great supremacy of this country in the field of radio broadcasting is augmented by the inauguration of a fifth national network.

"Looking over the nation's vast array of broadcasting facilities that give us that leadership we find that our listeners are now served by 934 standard broadcasting stations, and 22 others are under construction. Moreover, 180 applications for licenses to construct additional stations are on file with the Commission. There are 60,000,000 receiving sets in our homes. Great as this system is, the progress made to date has really been only a beginning. A new and even greater era in broadcasting is dawning with the forthcoming development of nationwide systems of Frequency Modulation and Television.

"The speed with which Frequency Modulation—FM—the static free high fidelity type of broadcasting, may be expected to move forward to supplement and maybe ultimately supplant our present system is indicated by the fact that 500 companies or individuals already have applied to the FCC for licenses and more are expected in the next few months. The erection of transmitters and the manufacture of receiving sets will proceed as rapidly as men and materials become available. In a few years we will find the number of commercial FM stations outstripping the existing AM stations.

"Television today is really only an infant, there being six commercial stations on the air—with not more than 7000 receiving sets in place. But in the near future we have every reason to believe that television will be received in tens of thousands of homes. And ultimately we can expect color television with high definition pictures.

"The formation of a new network at this time by the Associated Broadcasting Corporation is consistent with our spirit of progress. It is a symbol of the American determination to face the post-war period not timidly but with the courage to push on to new goals of achievement. Coming as it does with the echoes of the war still ringing in our ears and with no blueprint of the future neatly spread out before us, this event is in line with the finest traditions of the American spirit of enterprise.

"But this new network will of course be more than a symbol of the reconversion period. We are assured that it will be an effective instrument in the nation's job to convert from war to the pursuits of peace. It is true that the end of the war finds us in a favorable condition not rivalled by any other large nation. Our homeland is unravaged. Our productive capacity has mushroomed. Our merchant ships have grown from a few to great fleets. Our airplanes girdle the globe.

"On the other hand, the aftermath of war throws the shadow of unemployment over the land. We must deal frankly and effectively with that problem or face the possibility of widespread economic disruption.

"There is no lack of work to be done in the challenging adventure of building a better America. Besides the accumulated demand for goods that our factories can produce, there is a real need to strengthen our nation by raising health and educational standards, improving housing facilities, expanding foreign trade and many other things.

(Continued on next page)

"These are goals which will require our best and boldest efforts. Business and government, the local community and the state must join to map our strategy for the great challenge of peace. All of us will need to be informed of all viewpoints so that we may make up our minds and give intelligent support to democratic plans of our own choosing. In this fashion we will reach a democratic solution. And if anyone ever had doubts that our way is the best way, triumph in the war demonstrated to the world once and for all that a democracy can mobilize to meet an emergency with a spirit and a competence that confounded the tyrannies which threatened us.

"This new network, I am sure, will exemplify the best in American radio by bringing us balanced discussions of the ways and means by which we may best promote the welfare of our country.

"In this connection, the words of Thomas Jefferson are as sure a guide today as when they were uttered 150 years ago—as sure a guide when the nation is crisscrossed with radio networks as when men relied on pamphleteering:

> "'In every country where man is free to think and to speak, differences of opinion will arise from difference of perception, and the imperfections of reason; but these differences when permitted, as in this happy country, to purify themselves by free discussion, are but as passing clouds overspreading our land transiently, and leaving our horizon more bright and serene.'

"The fact that we are welcoming a new network today is a testimony to the fidelity with which Americans have abided by these enduring principles. To foster our fundamental freedom of speech over the radio we have placed our reliance upon the principle of diversified ownership of radio stations. We have guarded against monopoly of control over this great avenue of expression. We have guarded against any temptation at control by the government itself for the Federal Communications Commission, while charged with the duty of seeing that the radio channels are used in the public interest, is specifically forbidden to exercise any censorship.

"Thus this new network is an additional guarantee of competition in the market place of ideas, and may it prosper and develop as a new and effective champion of free speech.

"It gives me great pleasure, therefore, to salute the Associated Broadcasting Corporation network as a force in building the greater America of tomorrow. May it become a welcome guest in American homes, bringing:

Full and free expression of diverse viewpoints on national and international issues so that we may become better-informed citizens;
Programs calculated to foster and elevate our tastes in music, literature, drama and the other arts;
Wholesome entertainment;
Fair reporting of the news and an understanding of the background of the news; and
Opportunities for enlarging our knowledge of the world of science.

May it bring us these and many other good things which the bright horizons of tomorrow give promise.

"To the Associated Broadcasting Corporation, good luck and best wishes!"

RADIO NEWS COMMITTEE MEETS

The NAB Radio News Committee met in Chicago on Monday and Tuesday (17-18).

Several resolutions dealing with suggested courses in Radio Journalism for recommendation to colleges and schools of journalism were considered. These will, in all probability, be submitted to the Board of Directors at its meeting in Washington on October 1-2.

A demonstration of an improved wire recorder took place in connection with the luncheon meeting. The demonstration was for the purpose of determining its possible use in reducing the cost of handling local news and special events. A full report will be issued later.

The Committee also met with the members of the Council on Radio Journalism to discuss methods of bringing about complete co-operation between the schools and the industry.

Those attending the Committee meeting were: E. R. Vadeboncoeur, WSYR; A. A. Fahy, KABR; Arthur Kirkham, KOIN; Karl Koerper, KMBC; Chet Thomas, KXOK; Bill Ray representing William Brooks, NBC; and Everett Holles representing Paul White of CBS.

The members of the Council on Radio Journalism who attended that session were: Fred S. Siebert, University of Illinois; Mitchell V. Charnley, University of Minnesota; Floyd K. Baskette, Emory University; and Dr. I. Keith Tyler, Ohio State University.

Arthur Stringer, NAB Director of Promotion, was Secretary of the meeting.

STATIONS WEATHER HURRICANE

Florida radio stations, according to reports, came through the recent hurricane (September 15-16) in good order and with a splendid record.

James M. Le Gate, General Manager of WIOD, reports that his station remained on the air continuously during the entire period. When power failed, the station resorted to its emergency transmitter and stayed on the air without interruption for 36 hours. Engineers, control operators, announcers, and office personnel stuck to their posts and gave Miami full coverage. More than 500 public service emergency announcements were made for the Police and Fire Departments, other State and County agencies, and the Army, Navy, Coast Guard, Red Cross, etc. Spanish broadcasts were carried for the benefit of the Latin American residents of the area.

At St. Augustine, Caroline Harris, Publicity Director of WFOY, reports that a running news account from Florida stations was carried over their facilities. Telephone calls from nearly all Florida stations were used, and recordings of the storm reports from various communities were made and rebroadcast. Here again, the station staff worked continuously to perform a needed public service.

TRUMAN PICTURE SENT

A full color portrait of President Harry S. Truman, with his recent statement "RADIO . . . must be maintained as free as the press" imprinted above his autograph is being mailed to all broadcasters with the compliments of NAB.

Thanks are due to Sam O'Neal, Publicity Director of the Democratic National Committee, for supplying the portraits and approving NAB News Bureau's desire to imprint thereon the President's forceful demand that the free American system of broadcasting be maintained.

Broadcasters are urged to have this portrait with the President's commanding statement suitably framed and displayed in station reception rooms in public view.

Limited additional portraits may be obtained from the NAB News Bureau.

WIP'S RADIO SUMMER WORKSHOP

Sam Serota, Director of Educational Programs for Station WIP, advises that on August 23 sixty-five students from the public, private and parochial schools in the Philadelphia metropolitan area who had been selected for enrollment in the WIP Radio Summer Workshop were each awarded a "Certificate of Merit" for completing the nine-week course in radio production, acting, announcing and script writing. These students on return to their respective schools will undoubtedly be instrumental in creating Radio Clubs.

Assisting Mr. Serota, who acted as Director of the

(Continued on next page)

Workshop, was Edward Wallis, Station Program Director; Miss Gertrude Golden, Radio Chairman and District Superintendent of Philadelphia Public Schools; Miss Margaret Kearney, Radio Director of Philadelphia Parochial Schools; and Miss Allegra Woodworth, President of the Private Schools Teachers' Association.

PEACE TIME JOBS

Dayton, O.—With everyone concerned about the cancellation of war contracts and reconversion, WHIO has inaugurated a new series of programs, called "Peace Time Jobs in Dayton." The initial program featured all the heads of the five large General Motors factories located in Dayton. In an informal, forum type discussion, these executives discussed post-war employment with a WHIO newscaster and commentator.

Representing industries affording over 28,000 jobs for Dayton workers, they were optimistic about reconversion problems, stating that within four months they would exceed pre-war production levels.

FCC COMMISSIONER ILL

Former Governor William H. Wills of Vermont, newest member of the Federal Communications Commission, is confined to his home in Washington under physician's care, it was announced from his office on Monday.

Governor Wills suffered a recurrence of a heart ailment, and is expected to remain under doctor's care for a few weeks. It is reported that his condition is not serious and it is expected that he will resume his duties at the Commission following this period of recuperation.

FCC AIDES PROMOTED

The Federal Communications Commission has announced the appointment of Hugh B. Hutchinson as Chief of the new Broadcast Facilities Section and Samuel Miller as Chief of the new FM Facilities Section of the Law Department.

Mr. Hutchinson, a graduate of the 1934 Class at Columbus University Law School, came to the Commission as junior attorney in 1935 and has been with the Law Department since that date, with the exception of time he served in the armed forces.

Mr. Miller, a graduate of the University of Wisconsin Law School in 1936, has been with the FCC Law Department since 1940, with the exception of the period during 1942 when he served as secretary to Commissioner Ray C. Wakefield.

NEWSPAPER LAUDS RADIO WAR ROLE

Radio has "transported this war right into America's drawing rooms in a manner unattainable by any other medium," says the Glen Falls, N. Y., *Post Star* in its September 1 issue. Commenting on the great service performed by broadcasters during the war, the *Post Star* continues as follows:

". . . This is the first war in which the people on the home front have been able to go within sound if not sight of the battle.

"As auditors we attended that electrifying event on Dec. 8, 1941, in the chamber of the House of Representatives when Congress declared war on Japan and throughout the course of the struggle we were enabled from time to time to hear the roar of our cannon, the hammering of our machine guns and the spit of our rifles as they took their toll of the Axis. Tonight or tomorrow, if the capricious airwaves are willing, we shall be permitted to attend that most thrilling episode of the entire war, the signing of the surrender aboard the battleship *Missouri* in Tokyo Bay.

"General Douglas MacArthur is unquestionably one of the greatest arrangers of dramatic spectacles this country has ever produced. His feeling for the unexpected, his timing are superb, as the Japanese from Buna to Lingayen Gulf will testify. His attention to detail even in emergencies is unequalled as the precise progress of our occupation landings demonstrates.

"Above all, we shall witness, aurally at least, the greatest moment in the life of the supreme Allied commander. We shall be with him as he stands at the ventilator head of the *Missouri* surrounded by the might of all the Allies symbolized in his person, as he receives the humble emissaries dispatched from the divine presence of His Majesty, Emperor Hirohito. This will be a unique moment, a scene not to be found in all the world's literature, a scene in which a god capitulates to a man. We may rest assured that the General has prepared himself for his part and will play it with the dignity worthy of himself and of the American people.

"Fortunate we are to be able to attend the final act in this greatest of human tragedies, to see it end as we saw it start. There has never been anything like it before. . . ."

URGES NEWSPAPERS TO USE RADIO

Asking a question in the September 15 edition of *Editor & Publisher*, as to how newspapers may employ the tremendous pulling power of radio, T. S. Irvin answers his own question on the value of radio time for newspaper promotion as follows:

"For newspaper promotional purposes radio is good when use to——

"Establish general good will toward the newspaper as a community or social institution. This can best be done by extending the other promotional efforts of a newspaper by radio. For example a plan to help returing service men which runs in the paper would make very good radio interview material. A Golden Gloves battle could be broadcast. A youth development camp band could play. An editorial program for industrial development could be discussed.

"Establish the personalities of the newspaper so that bylines become people. One newspaper of our acquaintance runs a quiz show in which staff members have a chance to shine on points in which they are well informed.

"Popularize a name—the paper itself, a department or a new feature.

"Sell an idea such as the advantages of carrier route training. In a case such as this, mere assertion that Bugle routes are beneficial is much surpassed by personal success stories, testimonial interviews, or interesting personalities or hobbies among carriers. Important point is not to carry on ad nauseum—because the nauseum point is pretty low in radio.

"Acquaint readers with uses of the newspaper itself. Illustrations: Want ads as a source of income through selling needless articles, want ads as a source of finding what you want to buy, newspaper ads as a source of shopping bargains, child care features, etc.

"Tell of coming features or news. This usually takes the spot of straight announcement form."

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 24. They are subject to change.

(Continued on next page)

Wednesday, September 26

KJR—Fisher's Blend Station, Inc., Assignor; Birt F. Fisher, Assignee, Seattle, Wash.—Voluntary assignment of license of station KJR and relay station KEGR; **950 kc.,** 5 KW (main), DA-night, 1 KW (auxiliary), unlimited.

Friday, September 28

Further Hearing

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license; **1280 kc.,** 1 KW night, 5 KW day, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Granted construction permit to move transmitter and make changes in antenna.

WSTN—Charles P. Blackley, Staunton, Va.—Granted authority to change call letter assignment for new station, from WSTN to WTON.

WCLS—WCLS, Inc., Joliet, Ill.—Granted request to change call letter assignment of station from WCLS to WJOL.

WMPS—Memphis Broadcasting Co. (assignor), WMPS, Inc. (assignee), Memphis, Tenn.—Granted consent to voluntary assignment of license of station WMPS from Memphis Broadcasting Co. to WMPS, Inc. No monetary consideration involved. All the outstanding capital stock of the assignor and licensee is owned by the assignee.

KRKO—Lee R. Mudgett (transferor), Wm. R. Taft and Archie G. Taft, Jr. (transferee), The Everett Broadcasting Co., Inc. (licensee), Everett, Wash.—Granted consent to acquisition of control by William R. Taft and Archie G. Taft, Jr., of The Everett Broadcasting Co., Inc., licensee of station KRKO, representing 35 shares, or 35% of the outstanding capital stock of licensee corporation, for a consideration of $13,601.57.

WQAM—W. W. Luce and F. W. Borton, as individuals; Fred W. Borton and Frances Hester Borton, trustees for Frederick Eugene Borton, et al. (transferors), The Miami Herald Pub. Co. (transferee), Miami Broadcasting Co. (licensee), Miami, Fla.—Granted consent to voluntary transfer of control of Miami Broadcasting Company, licensee of station WQAM, from W. W. Luce and F. W. Borton, as individuals; Fred W. Borton and Frances Hester Borton, trustees for Frederick Eugene Borton, et al., to the Miami Herald Publishing Co., for a consideration of $500,000 for all of the outstanding capital stock of the licensee.

WITH—The Maryland Broadcasting Co., Baltimore, Md.—Granted authority to determine operating power by direct measurement of antenna power.

WJR—WJR, The Goodwill Station, Detroit, Mich.—Granted modification of license to change corporate name to WJR, The Goodwill Station, Inc.

WJRA—WJR, The Goodwill Station, area of Detroit, Mich.—Granted modification of license to change corporate name to WJR, The Goodwill Station, Inc.

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—Granted construction permit to move transmitter to 527 Broadway, Sylacauga, Ala. (Action taken 9-13-45.)

KIUL—Frank D. Conard, tr/as Radio Station KIUL, Garden City, Kans.—Granted construction permit to install new vertical antenna and make changes in ground system. (Action taken 9-14-45.)

WDAD—Indiana Broadcast, Inc., Indiana, Pa.—Granted modification of construction permit which authorized a new station, for approval of antenna and approval of transmitter location at 0.2 mile north of Pennsylvania Route #422 on Ash Road, 0.4 mile east of city limits, near Indiana, Pa. Permittee hereunder is granted a waiver of Sections 3.55(b) and 3.60 of the Commission's rules and regulations, upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that, upon commencement of operation, frequency checks by an external standard will be submitted to the Commission daily until satisfactory operation is indicated and weekly thereafter until a frequency monitor is installed which meets the approval of the Commission's Chief Engineer, and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available.

WENH—WJR, The Goodwill Station, area of Detroit, Mich.—Granted modification of license to change corporate name from WJR, The Goodwill Station, to WJR, The Goodwill Station, Inc.

WENF—WJR, The Goodwill Station, area of Detroit, Mich.—Granted modification of license to change corporate name from WJR, The Goodwill Station, to WJR, The Goodwill Station, Inc.

WENG—WJR, The Goodwill Station, area of Detroit, Mich.—Granted modification of license to change corporate name from WJR, The Goodwill Station, to WJR, The Goodwill Station, Inc.

WJRB—WJR, The Goodwill Station, area of Detroit, Mich.—Granted modification of license to change corporate name from WJR, The Goodwill Station, to WJR, The Goodwill Station, Inc.

W9XG—Purdue University, W. Lafayette, Ind.—Granted modification of construction permit covering new experimental television station, for extension of completion date only from 9-24-45 to 9-24-46; and the following clause added to construction permit: "Subject to changes in frequency assignment which may result from proceedings in Docket No. 6651."

ACTION IN DOCKET CASES

The Commission announced its Proposed Decision in the matter of the application for renewal of license of station WGST, The Georgia School of Technology, Atlanta, Ga., concluding that a grant of the application would not serve the public interest, convenience or necessity. (Docket No. 6534)

The application was denied without prejudice, however, to the submission within 90 days by the Georgia School of Technology of a new application for a construction permit and license to operate on the same frequency (920 kc., 1 KW night, 5 KW-LS, unlimited time), provided it is affirmatively shown that no further effect is given to the agreements between the Georgia School of Technology and Southern Broadcasting Stations, Inc., which the Commission has found in Docket 5903 and in this proceeding to be contrary to the Communications Act and incompatible with the operation of the station in the public interest.

The Commission also announced its decision in the matter of the application for renewal of license for station KFNF, KFNF, Inc., Shenandoah, Iowa, to operate on 920 kc. with 500 watts power at night, 1 KW day, sharing ⅛ time with station KUSD at Vermillion, S. Dak., together with application for transfer of control of KFNF, Inc., from Henry Field to Midwest Broadcasting Company.

The Commission concluded that public interest, convenience and necessity will be served by granting the renewal application of KFNF and the application of Henry Field and Midwest Broadcasting Co. for transfer of control of KFNF, Inc. (B-219, Docket 5942 and 6751).

LICENSE RENEWALS

WJBC—Radio Station WJBC, Bloomington, Ill.—Granted renewal of license for the period ending February 1, 1946.

WPAT—North Jersey Broadcasting Co., Inc., Paterson, N. J.—Granted renewal of license for the period ending May 1, 1947.

The following stations were granted renewal of licenses for the period ending August 1, 1947:

KTNM, Tucumcari, N. Mex.; KELD, El Dorado, Ark.; KWON, Bartlesville, Okla.; KWLK, Longview, Wash.; WMSL, Decatur, Ala.; WAGF, Dothan, Ala.

(Continued on next page)

DESIGNATED FOR HEARING

KHQ—Louis Wasmer (transferor), KHQ, Inc. (transferee), Louis Wasmer, Inc. (licensee), Spokane, Wash.—Designated for hearing application for consent to voluntary transfer of control of Louis Wasmer, Inc., licensee of station KHQ from Louis Wasmer to KHQ, Inc.

MISCELLANEOUS

Marshall Broadcasting Co., Marshall, Tex.—Granted petition for leave to amend its application for construction permit so as to substitute the name of Millard Cope for Riley Cross as president, director and stockholder of the applicant corporation; and by submitting a verified copy of the option to purchase land to be used as the transmitter site for the proposed station.

WLOL—Independent Merchants Broadcasting Co., Minneapolis, Minn.—Granted motion to dismiss without prejudice application for construction permit to increase power, etc. (B4-P-3737)

KHQ-KGA—Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing on application for renewal of licenses now scheduled for September 20, and continued same to October 22, 1945.

WCAU Broadcasting Co., Philadelphia, Pa.—Granted petition for leave to amend application for construction permit for new commercial television broadcast station, so as to substitute "Channel No. 6" in lieu of Channel No. 5.

WCOP—Mass. Broadcasting Corp., Boston, Mass.—Granted petition to dismiss without prejudice application for construction permit to increase power, etc. (B1-P-3479)

F. R. Pidcock, Sr., and James M. Wilder, d/b as Georgia Broadcasting Co., Savannah, Ga.—Granted motion to amend their application for construction permit for a new station. (B3-P-3606)

Harold H. Thoms, Durham, N. C.—Granted motion for leave to file supplemental information without further hearing, in the matter of his application for construction permit for a new station, and the documents are made a part of the record without further hearing.

O. E. Richardson, R. W. Widdell, and S. G. Strasburg, d/b as The Voice of Marion, Marion, Ind.—The Commission, on its own motion, continued the hearing on application for construction permit for new station, now scheduled for September 12, to Thursday, October 18, 1945.

C. M. Zinn and G. Leslie Golliday, d/b as Martinsburg Broadcasting Co., Martinsburg, W. Va.; Richard Field Lewis, Jr., and Grant Pollock, a partnership, d/b as Berkeley Broadcasting Co., Martinsburg, W. Va.—The Commission, on its own motion, continued the consolidated hearing now scheduled for September 13 on the applications of Martinsburg Broadcasting Co. and the Berkeley Broadcasting Co., to October 19, 1945.

Fred O. Grimwood, Bloomington, Ind.—Granted motion for continuance of hearing now scheduled for September 10 on application for construction permit, and continued same to October 17, 1945.

WHBU—Anderson Broadcasting Corp., Anderson, Ind.—Granted petition for leave to intervene in the hearing now scheduled on the application of the Voice of Marion, Marion, Ind.

Tennessee Broadcasters, Nashville, Tenn.—Granted motion for leave to file supplemental information without further hearing in re its application and those of Nashville Radio Corp., Nashville Broadcasting Co., Capitol Broadcasting Co., and J. W. Birdwell, all requesting a new station in Nashville.

KJR—Fisher's Blend Station, Inc., Assignor; Birt F. Fisher, Assignee, Seattle, Wash.—Granted joint petition for continuance of hearing now scheduled for September 26, on application for voluntary assignment of license of station KJR and relay station KEGR, and continued hearing to October 26, 1945.

Fred O. Grimwood, Bloomington, Ind.—Granted motion to amend application for construction permit for a new station.

Columbia Broadcasting System—Granted request for waiver of Sec. 3.287(a) of the Commission's rules and regulations so as to permit both the WABC-FM and WABC identifications to be heard over station WABC-FM during the operation of this station from 6:30 to 7:45 a. m.

Boulder City Broadcasting Co., Boulder City, Nevada—Adopted memorandum opinion granting construction permit for new station to operate on **1450 kc.**, 250 watts unlimited time, subject to the condition that applicant will be required to install frequency and modulation monitors of approved types, as required, respectively, by Sections 3.60 and 3.55(b) of the Commission's Rules, as soon as these products are available on the market, and subject to subsequent approval of the proposed antenna system by the U. S. Civil Aeronautics Administration.

Mississippi Broadcasting Co., Inc., Macon, Miss.—Adopted memorandum opinion and order granting application for a new station to operate on **1400 kc.**, with 250 watts power, unlimited time; conditions.

APPLICATIONS FILED AT FCC

620 Kilocycles

WCAX—WCAX Broadcasting Corp., Burlington, Vt.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and make changes in directional antenna for day and night use.

770 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Extension of special service authorization to operate on **770 kc.**, 25 KW night and 50 KW daytime, unlimited hours of operation.

790 Kilocycles

WMC—Memphis Publishing Co., Memphis, Tenn.—Construction permit to install new transmitter.

930 Kilocycles

WSLI—Standard Life Broadcasting Co., Jackson, Miss.—Construction permit to change frequency from **1450 kc.** to **930 kc.**, increase power from 250 watts to 5 KW, install new transmitter and directional antenna for night use and change transmitter location.

1010 Kilocycles

WINS—Hearst Radio, Inc., New York, N. Y.—Modification of construction permit (B1-P-3026 as modified for increase in power, installation of new transmitter, and changes in directional antenna) for change in type of transmitter and extension of completion date from 11-3-45 to 60 days after date of grant.

1090 Kilocycles

KTHS—Radio Broadcasting, Inc., Hot Springs National Park, Ark.—Construction permit to increase power from 1 KW night, 10 KW daytime to 25 KW night, 50 KW daytime, install new transmitter and directional antenna for night use, move transmitter to near Marion, Arkansas, and studio to Memphis, Tenn. Amended: to change requested studio location to West Memphis, Arkansas.

1140 Kilocycles

NEW—Pekin Broadcasting Co., Pekin, Ill. (P.O. #2 Terrace Court)—Construction permit for a new standard broadcast station to be operated on **1140 kc.**, power of 250 watts and daytime hours of operation.

1240 Kilocycles

NEW—Robert Lex Easley, Laurens, S. C.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation. Amended: re change in proposed transmitter site.

1340 Kilocycles

KVOX—KVOX Broadcasting Co., Moorhead, Minn.—Authority to determine operating power by direct measurement of antenna power.

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1490 Kilocycles

NEW—Louis Levand, Max Levand, John Levand, d/b as The Wichita Beacon Broadcasting Co., Wichita, Kansas (P.O. Beacon Bldg.)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

KOVC—KOVC, Inc., Valley City, N. Dak.—Construction permit to install new antenna and ground system and change transmitter location.

FM APPLICATION

NEW—Tar Heel Broadcasting System, Inc., Washington, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on **100.5 mc.** with coverage of 9,620 square miles.

MISCELLANEOUS APPLICATIONS

W4XAG—Georgia School of Technology, Atlanta, Ga.—License to cover construction permit (B3-PEX-59) which authorized a new developmental broadcast station.

W2XEM—Allen B. DuMont Laboratories, Inc., area of New York, N. Y.—License to cover construction permit (B1-PVB-151) which authorized a new experimental television relay broadcast station.

KWRD—City of Dallas, Texas, area of Dallas, Texas—License to cover construction permit (B3-PRE-449) which authorized a new relay broadcast station.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Kraupner & Kraupner Inc., et al.—A complaint alleging dissemination of false advertisements concerning the therapeutic properties of Kay's Medicated Ointment has been issued against Kraupner and Kraupner, Inc., 1375 Myrtle Ave., Brooklyn, and Diener & Dorskind, Inc., 147 West 42nd St., New York. Kraupner and Kraupner, Inc., sells and distributes the ointment, the advertisements of which are prepared and disseminated by Diener & Dorskind, Inc., an advertising agency. (5380)

Schutte Laboratories and **Schutte Co.,** Beaver Falls, Pa., are charged in a complaint with misrepresentation in the sale of rodent exterminators. (5382)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

J. V. Blevins Co. and **J. V. Blevins Brokerage Co.,** 155 Second Ave. S., Nashville, Tenn., doing business as a broker of food products, turpentine, and miscellaneous merchandise, and also engaged in business as a direct buyer of merchandise for his own account, for resale, has been ordered to cease and desist from receiving or accepting, directly or indirectly, anything of value as brokerage, commission, or other compensation, or any allowance or discount in lieu thereof, from any seller, in or in connection with purchases made from such seller when such purchases are made for the respondent's own account. (5333)

Western Hemisphere, Inc.—An order prohibiting use of the term "Who's Who" in the title of any of their biographical reference books has been issued against W. W. In the Western Hemisphere, Inc., 1029 Brighton Beach Ave., Brooklyn, and Julius C. Schwarz, Freda Schwarz and Rubin Rocker. The individual respondents control the editorial and sales policies and business activities of the respondent corporation. (5108)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Ardsley Studios, Paramount Bldg., New York, stipulated that in connection with the sale of framed enlargements of photographs he will cease and desist from certain practices. (4104)

Jay Sales Co., Chicago, entered into a stipulation to discontinue representing that the preparation he sells under the name of Wheat Germ Oil is beneficial in the treatment of persons suffering from weak, sickly, rundown, nervous conditions due to lack of vitamins, or in the treatment of any persons suffering from any condition due to any cause; or, by use of the words "the sex vitamin," that Wheat Germ Oil or vitamin E is of any value in the treatment of sexual debilities. (03297)

Royal Bond, Inc., 222 South 8th St., St. Louis, stipulated that it will cease and desist from representing by statements such as "America's Largest Producers of Embalming Fluid," or otherwise, that it produces a greater quantity of embalming fluid than any other establishment or concern in the United States. (4106)

FTC CLOSES CASE

The Federal Trade Commission has closed without prejudice the case growing out of the complaint issued against Marion R. Gray, trading as Marion R. Gray Co., who formerly was engaged in the manufacture and sale of wearing apparel at 824 South Los Angeles St., Los Angeles. The complaint had charged the respondent with misrepresenting the fiber content of some garments in violation of the Federal Trade Commission Act and with misbranding others in violation of the Wool Products Labeling Act.

The case was closed because the respondent has discontinued business and all materials and equipment used in connection therewith have been sold and there is no present indication that the business will ever be resumed by the respondent.

FCC 1944 FINANCIAL DATA

The Federal Communications Commission on Friday (14) released some financial data for stations and networks for 1944. The release and tables follow.

Net revenues from the sale of time amounting to $246,339,532 were reported by the four major and five regional networks and 875 standard broadcast stations in the United States, Hawaii, Alaska and Puerto Rico for the year 1944, as compared with $195,704,153 reported by 9 networks and 841 standard broadcast stations for the previous year, or an increase of 25.87%. In addition, these networks and stations received $28,959,079 in 1944 from the sale of talent and other incidental broadcast activities as compared with $19,613,621 for the year 1943, or an increase of 47.65% in this class of revenue. After deducting operating expenses, and before Federal income tax, these stations and networks reported operating income amounting to $90,272,851 as compared with $66,475,586 for the year 1943, an increase of 35.80%.

The four major network companies and their 10 key stations reported total revenues from the sale of time aggregating $84,068,954 in 1944 as compared with $71,027,292 for 1943. Combined broadcast revenues of these networks and stations were $79,030,449 in 1944 as compared with $64,301,538 for the previous year; and broadcast income (revenues less expenses before Federal income tax, and excluding net losses from other than standard broad-

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cast operations amounting to $741,680 for 1944 and $351,092 for 1943) amounted to $20,283,746 for 1944 and $19,455,701 for 1943, or an increase of 4.26%.

In general, standard broadcast stations reported a substantial improvement in the results of operations for 1944. Excluding the 10 key stations of major networks for which the reports did not include adequate segregations of expenses between these stations and network operations, the average broadcast income of clear channel stations with operating power of 50,000 watts, unlimited time, amounted to $496,247 per station in 1944, or an increase of 24.01% over 1943. Such income reported by the clear channel unlimited time stations with operating power of 5,000 to 20,000 watts averaged $129,534 per station, or an increase of 109.43% over the corresponding amount reported for 1943. The average broadcast income reported by regional unlimited stations amounted to $114,380 per station in 1944, as compared with $79,784 in 1943, an increase of 43.36%. Local unlimited time stations reported average broadcast income of $23,421 per station in 1944 and $12,682 in 1943, showing an average increase of 84.68%. Broadcast income reported by local unlimited time stations affiliated with major networks averaged $25,815 per station in 1944, or an increase of 70.86% over the average for 1943, while local unlimited time stations not affiliated with a major network reported an average increase of 85.58% over 1943.

Forty-one of the 875 stations reported losses (total broadcast expense in excess of total broadcast revenues) in 1944 as compared with 94 of the 841 included in the statistics for 1943. The average loss per station in 1944 was $3,764, while the average loss in 1943 amounted to $5,348. Only 27 of the stations reporting losses in 1944 were affiliated with major networks, while there were 42 in 1943.

The total number of stations affiliated with major networks and included in the statistics for 1944 was 689, and for 1943 the number was 604. The average broadcast income of the 689 stations amounted to $94,004, an increase per station of 28.82% over the average of $72,975 for the 604 stations in 1943.

FEDERAL COMMUNICATIONS COMMISSION

84606

ACCOUNTING, STATISTICAL, AND TARIFF DEPT.

WASHINGTON, D. C.

SUMMARY OF BROADCAST REVENUES, EXPENSES AND INCOME OF 4 MAJOR NETWORKS, 5 REGIONAL NETWORKS AND 875 STANDARD BROADCAST STATIONS

1944

Line number	Item	Grand total	Networks and their managed and operated stations 1/			843 Other stations
			Networks including 10 key stations of major networks 2/	22 Other managed and operated stations	Total	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	A. Revenues from Sale of Time:					
2	1. Network time sales by-					
3	a. Major networks	$127,246,180	$77,979,913	$3,746,563	$81,726,476	3/ $45,519,704
4	b. Regional networks	6,150,560	4,537,339	740,892	5,278,231	3/ 872,329
5	c. Miscellaneous networks and stations	1,461,806	-	-	-	3/ 1,461,806
6	Total	134,858,546	82,517,252	4,487,455	87,004,707	47,853,839
7	Deduct - Payments to foreign stations and elimination of miscellaneous duplications	5,489,045	5,174,984	-	5,174,984	314,061
8	Revenue from network time sales	129,369,501	77,342,268	4,487,455	81,829,723	47,539,778
9	2. Non-network time sales to-					
10	a. National and regional advertisers and sponsors	73,312,899	5,218,069	4,835,647	10,053,716	63,259,183
11	b. Local advertisers and sponsors	84,960,347	4,120,577	4,406,306	8,526,883	4/ 76,433,464
12	Total revenue from non-network time sales	158,273,246	9,338,646	9,241,953	18,580,599	139,692,647
13	Total revenue from time sales	287,642,747	86,680,914	13,729,408	100,410,322	187,232,425
14	3. Deduct - Commissions to regularly established agencies, representatives, brokers and others	41,303,215	5/ 21,360,220	1,438,744	22,798,964	18,504,251
15	Net revenue from time sales	246,339,532	65,320,694	12,290,664	77,611,358	168,728,174
16	B. Revenue from incidental broadcast activities:					
17	Talent:					
18	Sale of talent under contract to, and in the pay of, networks and stations	14,095,725	6,367,995	797,631	7,165,626	6,930,099
19	Commissions, fees and profits from obtaining or placing talent	1,012,688	419,445	5,027	424,472	588,216
20	Sundry broadcast revenues	13,850,666	8,962,376	441,754	9,404,130	4,446,536
21	Total revenue from incidental broadcast activities	28,959,079	15,749,816	1,244,412	16,994,228	11,964,851
22	Total broadcast revenues	275,298,611	81,070,510	13,535,076	94,605,586	180,693,025
23	C. Total broadcast expenses of networks and stations	185,025,760	60,228,004	8,176,110	68,404,114	116,621,646
24	D. Broadcast income (before Federal income tax)	90,272,851	20,842,506	5,358,966	26,201,472	64,071,379

1/ Stations licensed to major and regional networks, and those licensed to others, but managed by networks as to program, time or sales.
2/ Includes one station acquired and operated since August 1, 1944.
3/ Includes $12,060, $3,048, and $7,001 as major, regional and other network time sales, respectively, of $22,109 reported by licensees of stations with total time sales of less than $25,000.
4/ Since stations with total time sales of less than $25,000 for the year are not required to report details, this figure may include some amounts for national and regional non-network business.
5/ Of this amount $19,027,753 is applicable to the sale of network time, column (3), line 6, while the remainder and amounts shown in columns (5) and (7), line 14, are applicable to amounts reported on line 12, in respective columns.

Source: Annual Financial Reports (F.C.C. Form 324)

SUMMARY OF BROADCAST REVENUES, EXPENSES AND INCOME OF 865 STANDARD BROADCAST STATIONS, BY CLASS AND TIME;
SEGREGATED BETWEEN 689 STATIONS SERVING AS OUTLETS FOR MAJOR NETWORKS AND 176 STATIONS NOT SERVING AS SUCH OUTLETS 1/

1944

Item	Clear channel				Regional		Local		Total
	50,000 Watts		5,000 to 20,000 Watts						
	Unlimited	Part-time	Unlimited	Part-time	Unlimited	Part-time	Unlimited	Day and Part-time	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
				STATIONS SERVING AS OUTLETS FOR MAJOR NETWORKS					
Stations with time sales of $25,000 or more:									
Number of stations	41	3	22	-	250	22	324	1	663
Revenues from the sale of station time:									
Network time sales by-									
Major networks	$15,494,891	$705,757	$2,753,913	-	$23,784,045	$571,806	$5,943,795	-	$49,254,207
Regional networks	-	-	-	-	1,034,972	17,088	520,437	-	1,572,497
Other networks and stations	347,601	121,587	6,999	-	542,632	20,858	354,750	-	1,394,427
Total sale of chain broadcast time	15,842,492	827,344	2,760,912	-	25,361,649	609,752	6,818,982	-	52,221,131
Non-network time sales to-									
National and regional users	25,922,621	1,425,055	2,895,876	-	25,630,640	1,135,896	5,048,259	$2,741	62,061,088
Local and other users	7,767,815	153,651	3,160,479	-	32,118,257	1,515,192	18,841,866	32,451	63,589,711
Total sale of station non-network time	33,690,436	1,578,706	6,056,355	-	57,748,897	2,651,088	23,890,125	35,192	125,650,799
Total sale of station time	49,532,928	2,406,050	8,817,267	-	83,110,546	3,260,840	30,709,107	35,192	177,871,930
Deductions from the sale of station time:									
Payments to networks and stations	116,684	2,268	-	-	102,382	-	90,410	-	311,744
Commissions to regularly established agencies, representatives and brokers	6,754,643	147,906	949,375	-	8,114,408	258,501	1,468,909	125	17,693,867
Total deductions from the sale of station time	6,871,327	150,174	949,375	-	8,216,790	258,501	1,559,319	125	18,005,611
Balance, net time sales	42,661,601	2,255,876	7,867,892	-	74,893,756	3,002,339	29,149,788	35,067	159,866,319
Revenues from incidental broadcast activities:									
Talent:									
Sales	3,124,963	291,840	270,769	-	2,855,101	110,369	407,044	-	7,060,086
Commissions, fees, and profits from obtaining or placing talent	466,731	3,974	31,160	-	73,819	1,096	12,101	-	588,881
Sundry broadcast revenues	1,215,275	160,544	237,956	-	2,225,617	86,166	476,128	10	4,401,696
Total revenues from incidental broadcast activities	4,806,969	456,358	539,885	-	5,154,537	197,631	895,273	10	12,050,663
Total broadcast revenues	47,468,570	2,712,234	8,407,777	-	80,048,293	3,199,970	30,045,061	35,077	171,916,982
Total broadcast expenses	27,122,432	1,795,579	5,439,771	-	49,338,498	2,305,765	21,153,738	27,105	107,182,888
Broadcast income (or loss) before Federal income tax	20,346,138	916,655	2,968,006	-	30,709,795	894,205	8,891,323	7,972	64,734,094
All commercial stations:									
Number of stations	41	3	22	-	250	23	346	4	689
Broadcast revenues	$47,468,570	$2,712,234	$8,407,777	-	$80,048,293	$3,219,265	$30,475,598	$85,288	$172,417,025
Broadcast expenses	27,122,432	1,795,579	5,439,771	-	49,338,498	2,336,882	21,543,803	70,865	107,647,830
Broadcast income or (loss) before Federal income tax	20,346,138	916,655	2,968,006	-	30,709,795	882,383	8,931,795	14,423	64,769,195
				STATIONS NOT SERVING AS OUTLETS FOR MAJOR NETWORKS					
Stations with time sales of $25,000 or more:									
Number of stations	-	-	6	2	26	33	66	11	144
Revenues from the sale of station time:									
Network time sales by-									
Major networks	-	-	-	-	-	-	-	-	-
Regional networks	-	-	$21,300	-	-	$289	$15,264	$823	$37,676
Other networks and stations	-	-	6,885	$19,662	$6,357	4,974	22,500	-	60,378
Total sale of chain broadcast time	-	-	28,185	19,662	6,357	5,263	37,764	823	98,054
Non-network time sales to-									
National and regional users	-	-	1,927,414	470,257	1,026,815	1,648,329	859,659	101,268	6,033,742
Local and other users	-	-	1,816,248	254,120	4,516,257	4,093,247	4,884,465	662,456	16,226,793
Total sale of station non-network time	-	-	3,743,662	724,377	5,543,072	5,741,576	5,744,124	763,724	22,260,535
Total sale of station time	-	-	3,771,847	744,039	5,549,429	5,746,839	5,781,888	764,547	22,358,589
Deductions from the sale of station time:									
Payments to networks and stations	-	-	-	-	46	730	1,541	-	2,317
Commissions to regularly established agencies, representatives and brokers	-	-	554,009	102,201	563,729	622,102	347,015	60,072	2,249,128
Total deductions from the sale of station time	-	-	554,009	102,201	563,775	622,832	348,556	60,072	2,251,445
Balance, net time sales	-	-	3,217,838	641,838	4,985,654	5,124,007	5,433,332	704,475	20,107,144
Revenues from incidental broadcast activities:									
Talent:									
Sales	-	-	95,881	57,726	251,868	153,031	99,919	9,219	667,644
Commissions, fees, and profits from obtaining or placing talent	-	-	-	-	-	1,042	3,320	-	4,362
Sundry broadcast revenues	-	-	88,981	14,089	160,366	83,024	119,112	21,022	486,594
Total revenues from incidental broadcast activities	-	-	184,862	71,815	412,234	237,097	222,351	30,241	1,158,600
Total broadcast revenues	-	-	3,402,700	713,653	5,397,888	5,361,104	5,655,683	734,716	21,265,744
Total broadcast expenses	-	-	2,743,759	457,962	4,296,790	4,118,763	4,477,434	548,170	16,642,878
Broadcast income or (loss) before Federal income tax	-	-	658,941	255,691	1,101,098	1,242,341	1,178,249	186,546	4,622,866
All commercial stations:									
Number of stations	-	-	6	2	28	37	87	16	176
Broadcast revenues	-	-	$3,402,700	$713,653	$5,434,612	$5,432,233	$6,018,418	$809,460	$21,811,076
Broadcast expenses	-	-	2,743,759	457,962	4,346,874	4,187,518	4,809,137	604,676	17,149,926
Broadcast income or (loss) before Federal income tax	-	-	658,941	255,691	1,087,738	1,244,715	1,209,281	204,784	4,661,150
				ALL COMMERCIAL STATIONS					
Stations with time sales of $25,000 or more:									
Number of stations	41	3	28	2	276	55	390	12	807
Revenues from the sale of station time:									
Network time sales by-									
Major networks	$15,494,891	$705,757	$2,753,913	-	$23,784,045	$571,806	$5,943,795	-	$49,254,207
Regional networks	-	-	21,300	-	1,034,972	17,377	535,701	$823	1,610,173
Other networks and stations	347,601	121,587	13,884	$19,662	548,989	25,832	377,250	-	1,454,805
Total sale of chain broadcast time	15,842,492	827,344	2,789,097	19,662	25,368,006	615,015	6,856,746	823	52,319,185
Non-network time sales to-									
National and regional users	25,922,621	1,425,055	4,823,290	470,257	26,657,455	2,784,225	5,907,918	104,009	68,094,830
Local and other users	7,767,815	153,651	4,976,727	254,120	36,634,514	5,608,439	23,726,331	694,907	79,816,504
Total sale of station non-network time	33,690,436	1,578,706	9,800,017	724,377	63,291,969	8,392,664	29,634,249	798,916	147,911,334
Total sale of station time	49,532,928	2,406,050	12,589,114	744,039	88,659,975	9,007,679	36,490,995	799,739	200,230,519
Deductions from the sale of station time:									
Payments to networks and stations	116,684	2,268	-	-	102,428	730	91,951	-	314,061
Commissions to regularly established agencies, representatives and brokers	6,754,643	147,906	1,503,384	102,201	8,678,137	880,603	1,815,924	60,197	19,942,995
Total deductions from the sale of station time	6,871,327	150,174	1,503,384	102,201	8,780,565	881,333	1,907,875	60,197	20,257,056
Balance, net time sales	42,661,601	2,255,876	11,085,730	641,838	79,879,410	8,126,346	34,583,120	739,542	179,973,463
Revenues from incidental broadcast activities:									
Talent:									
Sales	3,124,963	291,840	366,650	57,726	3,106,969	263,400	506,963	9,219	7,727,730
Commissions, fees, and profits from obtaining or placing talent	466,731	3,974	31,160	-	73,819	2,138	15,421	-	593,243
Sundry broadcast revenues	1,215,275	160,544	326,937	14,089	2,385,983	169,190	595,240	21,032	4,888,290
Total revenues from incidental broadcast activities	4,806,969	456,358	724,747	71,815	5,566,771	434,728	1,117,624	30,251	13,209,263
Total broadcast revenues	47,468,570	2,712,234	11,810,477	713,653	85,446,181	8,561,074	35,700,744	769,793	193,182,726
Total broadcast expenses	27,122,432	1,795,579	8,183,530	457,962	53,635,288	6,424,528	25,631,172	575,275	123,825,766
Broadcast income or (loss) before Federal income tax	20,346,138	916,655	3,626,947	255,691	31,810,893	2,136,546	10,069,572	194,518	69,356,960
All commercial stations:									
Number of stations	41	3	28	2	278	60	433	20	865
Broadcast revenues	$47,468,570	$2,712,234	$11,810,477	$713,653	$85,482,905	$8,651,498	$36,494,016	$894,748	$194,228,101
Broadcast expenses	27,122,432	1,795,579	8,183,530	457,962	53,685,372	6,524,400	26,352,940	675,541	124,797,756
Broadcast income or (loss) before Federal income tax	20,346,138	916,655	3,626,947	255,691	31,797,533	2,127,098	10,141,076	219,207	69,430,345

1/ Does not include the operations of 10 key stations of major networks, as the reports filed by them with the Commission do not include adequate segregations of expenses between station and network operations.

FINANCIAL DATA CONCERNING FOUR MAJOR NETWORKS AND THEIR TEN KEY STATIONS AND AVERAGES FOR ALL OTHER STANDARD BROADCAST STATIONS, BY CLASS OF STATION SEGREGATED BETWEEN THOSE SERVING AS OUTLETS FOR MAJOR NETWORKS AND THOSE NOT SERVING AS SUCH OUTLETS

1944 - 1943

Item	Four major networks and 10 key stations			ALL STATIONS 1/											
				Clear channel 50 Kw., unlimited			Clear channel 50 Kw., part-time			Clear channel 5 Kw. to 20 Kw., unlimited			Clear channel 5 Kw. to 20 Kw., part-time		
	Total amounts 2/			Average per station			Average per station			Average per station			Average per station		
	1944	1943	Percent increase	1944	1943	Percent increase	1944	1943	Percent increase	1944	1943	Percent increase	1944	1943	Percent increase
Number of stations				41	41		3	3		28	25		2	3	
Total revenues from the sale of time less payments to networks and stations	$84,068,954	$71,027,292	18.36	$1,205,274	$1,029,141	17.11	$801,261	$708,041	13.17	$449,611	$299,599	49.92	$372,020	$208,926	78.06
Net revenues from the sale of time	63,656,085	54,479,894	16.84	1,040,527	890,977	16.78	751,959	658,742	14.15	395,919	264,584	49.58	320,919	178,560	79.73
Total broadcast revenues	79,030,449	64,301,538	22.91	1,157,770	979,268	18.23	904,078	779,733	15.95	421,903	277,572	51.96	356,926	206,524	72.78
Total broadcast expenses	58,746,703	44,845,837	31.00	661,523	579,098	14.23	598,526	558,051	7.25	292,269	215,722	35.48	228,981	156,113	46.68
Broadcast income (revenues less expenses before Federal income tax)	20,283,746	19,455,701	4.26	496,247	400,170	24.01	305,552	221,682	37.93	129,534	61,850	109.43	127,945	50,411	153.61
STATIONS SERVING AS OUTLETS FOR MAJOR NETWORKS															
Number of stations				41	41		3	3		22	20		-	1	-
Total revenues from the sale of time less payments to networks and stations	-	-	-	$1,205,274	$1,029,141	17.11	$801,261	$708,041	13.17	$400,785	$262,073	52.93	-	$88,150	-
Net revenues from the sale of time	-	-	-	1,040,527	890,977	16.78	751,959	658,742	14.15	357,631	234,508	52.31	-	77,930	-
Total broadcast revenues	-	-	-	1,157,770	979,268	18.23	904,078	779,733	15.95	382,171	246,900	54.79	-	84,234	-
Total broadcast expenses	-	-	-	661,523	579,098	14.23	598,526	558,051	7.25	247,262	181,293	36.39	-	84,755	-
Broadcast income (revenues less expenses before Federal income tax)	-	-	-	496,247	400,170	24.01	305,552	221,682	37.93	134,909	65,607	105.63	-	(521)	-
STATIONS NOT SERVING AS OUTLETS FOR MAJOR NETWORKS															
Number of stations										6	5		2	2	
Total revenues from the sale of time less payments to networks and stations	-	-	-	-	-	-	-	-	-	$628,541	$451,205	39.32	$372,020	$269,315	38.14
Net revenues from the sale of time	-	-	-	-	-	-	-	-	-	536,306	384,191	39.59	320,919	228,875	40.22
Total broadcast revenues	-	-	-	-	-	-	-	-	-	567,117	400,259	41.69	356,927	267,669	33.31
Total broadcast expenses	-	-	-	-	-	-	-	-	-	457,293	353,441	29.38	228,981	191,792	19.39
Broadcast income (revenues less expenses before Federal income tax)	-	-	-	-	-	-	-	-	-	109,824	46,818	134.58	127,946	75,877	68.49

Item	ALL STATIONS - CONTINUED														
	Regional, unlimited			Regional, part-time			Local, unlimited			Local, day and part-time			All stations		
	Average per station			Average per station			Average per station			Average per station			Average per station		
	1944	1943	Percent increase	1944	1943	Percent increase	1944	1943	Percent increase	1944	1943	Percent increase	1944	1943	Percent increase
Number of stations	278	268		60	61		437	405		20	26		865	832	
Total revenues from the sale of time less payments to networks and stations	$318,684	$255,792	24.59	$151,623	$124,554	21.73	$85,894	$63,503	35.26	$46,235	$35,092	31.75	$232,326	$186,568	24.53
Net revenues from the sale of time	287,468	231,200	24.34	136,916	112,249	22.00	81,701	60,832	34.31	43,225	33,455	29.20	209,870	168,839	24.39
Total broadcast revenues	307,493	246,431	24.79	144,192	117,950	22.25	84,282	62,488	34.88	44,737	34,498	29.68	224,541	179,670	24.97
Total broadcast expenses	193,113	166,627	15.90	108,740	99,820	8.94	60,861	49,806	22.20	33,777	27,483	22.90	144,275	123,689	16.64
Broadcast income (revenues less expenses before Federal income tax)	114,380	79,784	43.36	35,452	18,130	95.54	23,421	12,682	84.68	10,960	7,015	56.24	80,266	55,981	43.38
STATIONS SERVING AS OUTLETS FOR MAJOR NETWORKS															
Number of stations	250	240		23	22		346	276		4	1		689	604	
Total revenues from the sale of time less payments to networks and stations	$332,033	$269,066	23.40	$142,615	$116,316	22.61	$89,738	$69,450	29.21	$21,351	$21,106	1.16	$258,433	$225,120	14.80
Net revenues from the sale of time	299,575	242,917	23.32	131,375	105,992	23.95	85,492	66,486	28.59	21,320	21,106	1.01	232,752	202,456	14.96
Total broadcast revenues	320,193	258,887	23.68	139,968	112,426	24.50	88,080	68,234	29.09	21,322	21,106	1.02	250,242	216,840	15.40
Total broadcast expenses	197,354	171,659	14.97	101,604	85,830	18.38	62,265	53,125	17.20	17,716	17,797	(0.46)	156,238	143,865	8.60
Broadcast income (revenues less expenses before Federal income tax)	122,839	87,228	40.83	38,564	26,706	44.25	25,815	15,109	70.86	3,606	3,309	8.98	94,004	72,975	28.82
STATIONS NOT SERVING AS OUTLETS FOR MAJOR NETWORKS															
Number of stations	28	28		37	39		87	129		16	25		176	228	
Total revenues from the sale of time less payments to networks and stations	$199,504	$142,008	40.49	$157,223	$129,200	21.69	$70,610	$50,780	39.05	$52,456	$35,652	47.13	$130,123	$84,437	54.11
Net revenues from the sale of time	179,371	130,780	37.15	140,409	115,778	21.27	66,621	48,734	36.70	48,701	33,949	43.45	117,344	77,595	51.23
Total broadcast revenues	194,093	139,471	39.16	146,817	121,066	21.27	69,177	50,195	37.82	50,591	35,034	44.41	123,927	81,203	52.61
Total broadcast expenses	155,245	123,496	25.71	113,176	107,712	5.07	55,277	42,705	29.44	37,792	27,871	35.60	97,443	70,242	38.72
Broadcast income (revenues less expenses before Federal income tax)	38,848	15,975	143.18	33,641	13,354	151.92	13,900	7,490	85.58	12,799	7,163	78.68	26,484	10,961	141.62

Note: - ( ) indicates a decrease.

1/ Does not include the operations of 10 key stations of major networks, as the reports filed by them with the Commission do not include adequate segregations of expenses between station and network operations.

2/ Figures for 1943 cover four major networks and nine key stations; one additional key station acquired and operated since August 1, 1944.

SUMMARY OF REVENUES, EXPENSES AND INCOME OF STANDARD BROADCAST STATIONS BY CLASS AND AUTHORIZED POWER 1/

1944

	Stations with time sales of $25,000 or more															All commercial stations			
		Revenues from the sale of station time						Deductions from the sale of station time		Revenues from incidental broadcast activities									
		Network time sales by			Non-network time sales to					Talent									
Class of station and Authorized Power in Watts	Number of stations	Major networks	Regional networks	Other networks and stations	National and regional users	Local and other users	Total	Payments to networks and stations (from sale of time)	Commissions to regularly established agencies, representatives, brokers, and others	Sales	Commissions, fees, and profits from obtaining or placing talent	Sundry broadcast revenues	Total broadcast revenues	Total broadcast expenses	Broadcast income or (loss) before Federal income tax	Number of stations	Total broadcast revenues	Total broadcast expenses	Broadcast income or (loss) before Federal income tax
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
Clear channel:																			
50,000 Day - 50,000 Night ..	43)	$16,200,648	-	$469,188	$27,347,676	$7,921,466	$51,938,978	$118,952	$6,902,549	$3,436,803	$470,705	$1,375,819	$50,180,804	$28,918,011	$21,262,793	43)	$50,180,804	$28,918,011	$21,262,793
50,000 Day - 25,000 Night ..	1)															1)			
20,000 Limited	1)	689,917	-	20,622	3,280,459	2,955,045	6,946,043	-	936,867	234,525	14,478	165,786	6,423,965	4,747,515	1,676,450	1)	6,423,965	4,747,515	1,676,450
10,000 Day - 10,000 Night ..	12)															12)			
10,000 Day - 5,000 " ...	1)	164,773	-	-	188,350	207,833	560,956	-	51,355	10,107	-	5,026	524,734	346,074	178,660	1)	524,734	346,074	178,660
10,000 Day - 1,000 " ...	1)															1)			
10,000 Limited	1)															1)			
5,000 Day - 5,000 Night ...	14	1,899,223	$21,300	12,924	1,824,738	2,067,969	5,826,154	-	617,363	179,744	16,682	170,214	5,575,431	3,547,903	2,027,528	14	5,575,431	3,547,903	2,027,528
Total - Clear Channel ...	74	18,954,561	21,300	502,734	32,641,223	13,152,313	65,272,131	118,952	8,508,134	3,841,179	501,865	1,716,845	62,704,934	37,559,503	25,145,431	74	62,704,934	37,559,503	25,145,431
Regional:																			
5,000 Day - 5,000 Night	138	16,262,711	784,239	318,276	18,993,640	22,651,042	59,009,908	39,903	6,114,783	2,371,856	66,841	1,681,213	56,975,132	34,912,367	22,062,765	138	56,975,132	34,912,367	22,062,765
5,000 " - 1,000 "	31	3,170,705	12,343	54,034	3,767,629	4,376,217	11,380,928	8,722	1,210,649	463,790	1,064	218,740	10,845,151	6,852,186	3,992,965	31	10,845,151	6,852,186	3,992,965
5,000 " - 1,000 Limited ..	1)	25,864	3,478	-	291,647	378,165	699,154	-	121,590	12,333	-	9,752	599,649	469,883	129,766	1)	599,649	469,883	129,766
5,000 " - 500 Night	2)															2)			
5,000 Limited	2)	22,288	2,334	3,646	535,073	125,386	688,727	-	75,944	21,355	-	2,631	636,769	381,306	255,463	2)	654,782	395,991	258,791
5,000 Day	1)															2)			
2,500 Day - 1,000 Night	3	65,461	-	3,062	72,090	321,671	462,284	459	42,555	-	-	2,840	422,110	268,625	153,485	3	422,110	268,625	153,485
1,000 Day - 1,000 Night	84	3,295,517	135,724	165,777	3,224,347	7,943,006	14,764,371	53,533	1,165,512	292,950	4,453	416,337	14,259,066	9,792,251	4,466,815	86	14,293,500	9,821,067	4,472,433
1,000 Day - 500 Night	25	1,208,190	101,648	5,844	1,138,533	2,492,223	4,946,438	270	306,215	63,776	1,461	95,867	4,801,057	3,223,985	1,577,072	25	4,801,057	3,223,985	1,577,072
1,000 Day - 250 Night	5	81,596	-	7,292	95,893	310,014	494,795	-	31,675	560	-	13,199	476,879	294,097	182,782	5	476,879	294,097	182,782
1,000 Limited	6	19,548	12,329	-	99,516	595,068	726,461	-	82,844	12,566	819	13,861	670,863	562,970	107,893	6	670,863	562,970	107,893
1,000 Day	23	78,988	254	16,890	959,529	1,817,552	2,853,213	271	241,978	82,758	1,319	61,320	2,756,361	2,089,093	667,268	24	2,775,656	2,120,210	655,446
500 Day - 500 Night	4	54,078	-	-	126,620	361,013	541,711	-	41,487	2,257	-	5,842	508,323	443,656	64,667	7	563,729	518,974	44,755
500 Limited	2)	70,905	-	-	157,163	871,596	1,099,664	-	123,508	46,168	-	33,571	1,055,895	769,397	286,498	2)	1,055,895	769,397	286,498
500 Day	4)															4)			
Total - Regional	331	24,355,851	1,052,349	574,821	29,441,680	42,242,953	97,667,654	103,158	9,558,740	3,370,369	75,957	2,555,173	94,007,255	60,059,816	33,947,439	338	94,134,403	60,209,772	33,924,631
Local:																			
250 Day - 250 Night	372	5,782,998	518,443	375,720	5,760,060	23,031,919	35,469,140	89,213	1,787,158	508,133	15,421	582,890	34,699,213	24,860,318	9,838,895	407	35,369,319	25,466,596	9,902,723
250 Day - 100 Night	9	46,233	11,132	1,107	60,590	376,809	495,871	2,738	8,494	24	-	2,604	487,267	356,288	130,979	12	519,702	388,563	131,139
250 Day	7	-	-	-	67,987	382,068	450,055	-	23,583	2,652	-	13,154	442,278	342,732	99,546	9	480,164	378,043	102,121
100 Day - 100 Night	14	114,564	6,949	423	123,290	630,442	875,668	-	56,886	5,373	-	17,624	841,779	647,109	194,670	24)	1,019,579	795,279	224,300
100 Day	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1)			
Total - Local	402	5,943,795	536,524	377,250	6,011,927	24,421,238	37,290,734	91,951	1,876,121	516,182	15,421	616,272	36,470,537	26,206,447	10,264,090	453	37,388,764	27,028,481	10,360,283
Grand Total	807	49,254,207	1,610,173	1,454,805	68,094,830	79,816,504	200,230,519	314,061	19,942,995	7,727,730	593,243	4,888,290	193,182,726	123,825,766	69,356,960	865	194,228,101	124,797,756	69,430,345

1/ Does not include the operations of ten key stations of major networks, as the reports filed by them with the Commission do not include adequate segregations of expenses between station and network operations.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 39, September 28, 1945

MILLER INAUGURATION PLANS COMPLETED

Plans for the inauguration of Justin Miller as NAB President for a five-year term beginning October 1 have been completed.

The Board of Directors will meet in Washington on Monday October 1, at which time Mr. Miller will be installed as Chairman of the Board. All members of the Board have indicated their intention to be present. The agenda includes a discussion of policy with reference to the clearance of Government material to replace the service rendered by the Domestic Branch of the Office of War Information, a further discussion of the matter of NAB employer-employee relationship activity, a reopening of the Lee-Losh Plan for the Academy of Radio Arts and Sciences, and a number of other important industry matters.

On the evening of the second day, Tuesday (2), an inaugural dinner will be held in the Presidential and Congressional Rooms of the Hotel Statler. Some 700 have accepted the invitation to attend. A large number of Senators and members of the House, together with many from the Executive and Judicial branches of the Government and from the independent and war agencies, members of the FCC Bar and broadcasters from all parts of the country will be present.

In addition to Justin Miller's inaugural address, Harold Ryan will make his final appearance as Interim President of NAB. Chairman Paul A. Porter of the Federal Communications Commission will speak and Don S. Elias of WWNC will serve as toastmaster.

HAROLD RYAN CLOSES NAB CAREER WITH PETITION TO PRESIDENT TRUMAN

His career as Interim President of NAB drawing to a close, Harold Ryan, as one of his last official acts, this week directed a petition to President Truman requesting the authorization for 1945 of a postage stamp commemorating the twenty-fifth year of broadcasting in the United States.

The petition was received at the White House Friday morning.

Introduced by a resolution from the NAB Board of Directors, the petition documents radio's position in American life in war and peace, by means of printing and illustrations, and contains more than two hundred letters from congressmen, clergymen, educators, stage, screen and radio performers, government officials, civil and military, and business and civic leaders from many parts of the United States.

Two proposed designs for the postage stamp were incorporated.

The book, "Management in the Public Interest," was bound into the back cover and made a part of the petition.

The large document of 200 pages, 17 by 22 inches in size, bound in dark blue and inscribed in gold: "A Petition to the President of the United States," was delivered to Charles G. Ross, Press Secretary to the President.

NATIONAL RADIO WEEK

November 4–10

Radio's 25th Anniversary

SPECIAL BULLETIN ON POLICY OF NATIONAL RADIO WEEK

Special Twenty-fifth Anniversary Bulletin No. 19, with this issue of Reports, consists of a statement of policy and general discussion of National Radio Week, November 4-10.

Begin Promotion Now

Especial attention is directed to the section on "Promotion," which urges all stations to utilize billboards, special displays, schedules, house organs, advertising and other media to promote the week, *starting at once*, with the message: NATIONAL RADIO WEEK, November 4-10, Radio's Twenty-fifth Anniversary.

More detailed bulletins will follow.

SET PRODUCTION AT STANDSTILL

Despite the page ads in national magazines, chunks of newspaper copy and some broadcast advertising, the nation is little nearer new radio sets than it was on VJ Day.

"It's OPA trouble", asserts our reliable grapevine.

Local set jobbers seeminly do not appreciate the gravity of the situation though they are constantly bombarding the manufacturers.

A mere trickle of sets is being produced today, mostly samples. Some parts manufacturers are producing for stock . . . to be released to set manufacturers when, as and if they get suitable prices.

Should the break come anytime soon it would be possible for a considerable quantity of new sets to reach the public by year's end.

It is understood that ample parts are flowing into the replacement market where the permitted price schedule is fairly satisfactory.

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

INTER-AMERICAN BROADCASTING CONGRESS TO BE FORMED

The third Inter-American Radio Conference concluded its sessions in Rio De Janeiro with an announcement of the formation, in extra session, of an Inter-American Broadcasting Congress which will hold its first meeting in Havana on March 15, 1946.

Broadcasters from 15 countries attended the extra session and gave unanimous approval to the new organizations, which has as its stated aim the improvement of standards through an interchange of ideas to increase harmony among the broadcasters of the Americas.

An advance committee on publicity and details of organization will meet in Mexico early in the coming year.

An outline for the new congress on radio calls for one vote for each country participating.

The following resolutions were adopted by the Rio Conference:

1. On freedom of information, recommending to American governments promulgation of such necessary measures as to give expression of thought on radio same effective guarantees of freedom which press enjoys, and providing for transmission and multiple reception of press and radio news material.

2. (Article 19). With the purpose of prompting closest possible relations between people of American region, contracting governments shall adopt necessary measures to extent of their respective possibilities to facilitate and extend retransmission and continued reciprocal interchange of culture radio-telephonic programs of an artistic, scientific and historical nature. Information concerning such broadcasts shall be furnished with as much advance notice as possible in order to assure maximum publicity and dissemination.

3. Providing that contracting governments shall take appropriate measures to insure that no program transmitted by a broadcasting station may be transmitted or utilized in whole or in part by any other station without previous authorization of the station of origin.

Representatives of U. S. broadcasting and other interests at the conference were: William F. Brooks, G. F. Leydorf, Crosley Corp. radio engineer; Philip F. Siling, manager of RCA Frequency Bureau and Thomas H. Anderson; Fred E. Meinholtz, *New York Times* radio chief; Marden G. Cooke, Press Wireless; H. L. Carroll, Raytheon Corp.; James Miller, UP; Chandler Diehl, Rio manager, AP; Victor Hawkins, Rio manager, INS; Col. Thompson H. Mitchell, vice-president and general manager, RCA Communications; A. L. Budlong, American Radio Relay League; R. D. Campbell, radio engineer, and L. E. Whittemore, special representative, AT&T; Kenneth McKim, vice-president, IT&T.

NAB RESEARCH COMMITTEE MEETING

The NAB Research Committee will meet at the Statler Hotel in Washington October 3-4, John C. Tully, WJAC, Chairman has announced.

Members of the Committee are John C. Tully, WJAC, Johnstown, Pa., Chairman; Roger W. Clipp, WFIL, Philadelphia, Pa.; Charles E. Couche, KALE, Portland, Ore.; W. Lee Coulson, WHAS, Louisville, Ky.; Dietrich Dirks, KTRI, Sioux City, Iowa; Edward F. Evans, WJZ, New York, N. Y.; Dale Taylor, WENY, Elmira, N. Y.; Elmo Wilson, CBS, New York, N. Y.; and Barry T. Rumple, Secretary, NAB Research Director.

Members of the NAB Board Liaison Committee are Dr. Frank Stanton, CBS, New York, and Martin Campbell, WFAA, Dallas, Texas.

WORLD COMMUNITY DAY NOVEMBER 2

The United Council of Church Women has announced that the annual observance of World Community Day will occur on Nov. 2.

Educational literature sent out in preparation for the day emphasizes the theme "Making the United Nations Charter Live." Material in this literature, which has been widely distributed over the country, includes a radio kit designed to aid local groups in presenting the issues involved via radio stations, according to word received from the Council.

MORE ON TRAFFIC SAFETY PROGRAMS

Referring to an article in NAB REPORTS (vol. 13, p. 416) dealing with a letter from Lee B. Wailes, manager of Westinghouse Radio Stations, Inc., to NAB President Harold Ryan, and in which Mr. Wailes outlined the importance of traffic safety programs, NAB has received a letter dated Sept. 25, from Robert N. Terry, publicity director of KXOK, St. Louis, quoted in part below:

"We, at KXOK, noted with added interest the September 21st edition of the NAB REPORTS wherein Mr. Leo B. Wailes, Manager of Westinghouse Radio Stations, Inc., points out the importance of traffic safety programs and the need for broadcasters to alert themselves to this vital public service.

"With this in mind, I believe you will be more than interested in discovering that KXOK has successfully broadcast just such a type program since 1938 with remarkable results. Just 6 years ago, September 15th, Lt. Roland J. Schumacher, then Sgt. Schumacher of the Traffic Division of the St. Louis Police Department, and KXOK, presented for the first time, a 15-minute program titled 'So It Can't Happen to You'. Since that date, Lt. Schumacher has broadcast 313 consecutive weekly programs. During the entire year of 1943, or Lt. Schumacher's 5th year of broadcasting, not one child in St. Louis died as a result of traffic injuries. I believe you will agree with us that this, in itself, is quite remarkable—it certainly proves the value of a traffic safety program. I am enclosing a story on Lt. Schumacher's Sixth Anniversary which was published in the St. Louis *Star-Times* on September 17th. . . ."

BEGIN 2ND YEAR OF GLOBAL SHOWS

Next week the industry begins its second year of direct service to overseas military personnel by producing original hometown shows. "Let's Go to Town," name originally given the series by Armed Forces Radio Service, is still being used. About 150 programs have been produced to date.

Next to a letter from home, these hometown shows are appreciated most by our men and women in service. Because so many millions are still overseas and will remain overseas for months to come, AFRS needs more programs for broadcast to them.

(Continued on next page)

Stations that haven't produced a "Let's Go to Town" program are invited to do so. Write Arthur Stringer, NAB, for kit and then decide. When you say so, free aluminum base acetates will be forthcoming. Among the recent volunteers to produce are:

KFAR—Fairbanks, Alaska
WDSU—New Orleans
WMBD—Peoria

This is the second "Let's Go to Town" for WMBD. First was shipped November 22, 1944.

KTBS—Shreveport

Armed Forces Radio Service has received a "Let's Go to Town" show produced by KTBS, Shreveport.

REPORT ON "MUSIC FROM YOUR HOMETOWN"

During the last two weeks cooperating stations have made a number of shipments of the "Music from Your Hometown," also broadcast throughout the world. Here is the story:

WHB—Kansas City

Dick Smith says: "Shipped first set of 'Music from Your Hometown' programs September 11—Jimmy Joy and his orchestra."

WBZ—Boston

Elizabeth W. Steel, recording supervisor, says: "Shipped two sets of 'Music from Your Hometown' September 12, Gene Krupa and his orchestra; Vaughn Monroe and the Totem Ballroom orchestra, September 17."

WGN—Chicago

Verbally, from Paul Brines, "We shipped all three sets of 'Music from Your Hometown'." (Sept. 13.)

WFAA—Dallas

Ralph K. Maddox got off a big shipment of completions, September 14, five quarter hours as follows:

Durwood Klein and his orchestra,
Carl Sands and his orchestra,
WFAA Early Birds orchestra,
Hugh Waddill, WFAA organist,
Cass County Kids.

WISH—Indianapolis

Reid G. Chapman shipped his first set of two recordings September 14.

KUTA—Salt Lake City

James E. Muse reports first shipment of "Music from Your Hometown," September 19. Next recording is to be Chris Cross' orchestra from a local night spot.

FCC CHANGES EN BANC HEARING DAY

The Federal Communications Commission announces that, beginning the first week in October, the regular weekly meetings of the Commission en banc will be held on Wednesdays, instead of Tuesdays. Motions hearings will be held on Tuesdays of each week beginning the first week of October, instead of on Wednesdays.

NO FREE SPEECH

Of interest to American broadcasters, operating under a free enterprise system which affords a simple solution to maintenance of free speech, is a letter to the editor of *Canadian Broadcaster.*

The letter, signed by G. Harry Williams, appears in the Sept. 22 edition of that publication, and is reprinted herewith in full:

"SIR: I was particularly interested in seeing your reference to Ernest Thurtle M.P.'s book, 'Time's Winged Chariot' in your issue of September 8th, and the fact that in this book, this British labor M.P. attacks the monopoly for influencing public opinion on controversial issues by allowing presentation of one side of an issue only.

"Ernest Thurtle has for many years been actively associated with organizations that have endeavored to stimulate public interest in progressive and realistic thinking in the United Kingdom, but time has always been refused by the BBC if the views to be presented were not strictly in line with so-called 'orthodox' official ideas. The danger of this sort of thing has been apparent to many in the British Isles—the alleged home of freedom and progress—and perhaps was a factor in the resentment expressed in the recent elections, for it is a direct violation of 'freedom of thought and speech' which Britons are supposed to enjoy.

"The world is now licking its wounds and surveying the wreckage of six years of carnage brought about by people who forced their views, right or wrong, upon their people, who were forbidden to discuss them or present any opposing ideas. Penalties upon the expression of an opinion must surely be abolished and the right of free discussion established. Disaster will only lie ahead again if it is not, and that is what is realized by people like Ernest Thurtle, M.P. That is why he says in his book: 'There ought never to be an absolute monopoly of an instrument for influencing opinion on controversial issues unless it is, beyond peradventure, impartial.'

"The CBC might well take note."

FM-TELE POLICY OUTLINED BY FCC

In acting upon a number of applications for experimental television stations on some of the channels now allocated for commercial television stations and for FM developmental stations in the old FM band between 42-50 megacycles and in the new FM band between 88-108 megacycles, the Commission on Tuesday (25) reemphasized its rule that such applicants must make a satisfactory showing of a meritorious program of research and experimentation.

The Commission stated that it was fully aware of the fact that there exists a need for developmental work regarding the higher frequency channels for commercial television broadcast stations, and that there exists a need for FM developmental work on the frequencies between 88-108 megacycles to which this broadcast service is assigned, but that it would not grant applications in either of these fields unless the applicant presented a genuine program of research, and clearly showed that an experimental station was necessary for carrying forward the research.

The Commission announced that it will examine carefully the representations made by each such applicant as to whether it in fact proposes an experimental and developmental station, or whether its proposal is more properly the subject of an application for a commercial television or FM station.

In denying applications which included requests for experimentation for the purpose of conducting site surveys or field intensity measurements, the Commission pointed out that such work required radiations for only short periods which did not justify a long term station license, and that a 30-day or less authorization to operate a station which can be applied for under Section 1.365 of the Commission's Rules should be adequate for such purposes.

(Continued on next page)

The following action was taken on Experimental television broadcast applications.

Earl C. Anthony, Inc. T-Mt. Wilson Peak Los Angeles, Cal.	Dismissed application for construction permit (B5-PVB-150), channel No. 2, 60-66 mc; 4 KW (peak).
Pacific Coast Broadcasting Co. Transmitter site not specified	Denied application for construction permit (B5-PVB-159), channel 6, 82-88 mc; 2 KW, 4 KW (peak).
Twentieth Century-Fox Film Corp., T-Cor. Park Dr. and Brookline Avenue Boston, Mass.	Denied application for construction permit (B1-PVB-147), channel 1, 50-56 mc. 200 watts, 400 watts (peak).
General Television Corp. T-Corner Park Drive and Brookline Ave. Boston, Mass.	Denied application for construction permit (B1-PVB-108), channel 1, 50-56 mc. 200 watts, 400 watts (peak).
Midland Broadcasting Co. T-1330 Baltimore Ave. K.C. Power and Light Bldg. Kansas City, Mo.	Denied application for construction permit (B4-PVB-156); 60-66, 210-216, 480-492 mc; 1 KW (60-66 channel only), 1 KW (peak).
National Broadcasting Co., Inc. T-Wardman Park Hotel 2660 Woodley Rd., NW Washington, D. C.	Denied application for construction permit (B1-PVB-158); channel 4, 66-72; 2 KW, 4 KW (peak).

The following actions were taken on new Developmental broadcast station applications:

S. E. Adcock tr/as Stuart Broadcasting Co. T-531 S. Gay St. Hamilton Bank Bldg. Knoxville, Tenn.	Denied application for construction permit; frequency 107.5 mc, 1 KW. (B3-PEX-79).
William Henry Alford T-1617 Queen St. Winston-Salem, N. C.	Denied application for construction permit (B3-PEX-67); frequency 48.1 mc; 160.7. watts.
Everett C. Atkerson T-Route #2 Crest Rd. Shades Mt. Birmingham, Ala.	Denied application for construction permit (B3-PEX-69); 43.7 and 87.4; 250 watts.
Harold O. Bishop T-3519 River Rd. Harrisburg, Pa.	Denied application for construction permit (B2-PEX-77); frequency 99.8 and 94.2 mc; 1 KW.
Harold O. Bishop Portable, Area of Harrisburg, Pa. (Satellite)	Denied application for construction permit (B2-PEX-78); frequency 99.8 and 94.2, 200 watts.
Utah Broadcasting & Television Co. T-29 S. State St. Salt Lake City, Utah	Denied application for construction permit (B5-PEX-81); frequency: to be assigned by Chief Engineer in 92.1-103.9 mc band; 100 watts.
The Hallicrafters Co. T-2611 Indiana Ave. Chicago, Ill.	Granted application (B4-PEX-76); frequency 100 mc; 250 watts.
Topeka Broadcasting Assn., Inc. T-1000 Kansas Ave. National Reserve Life Bldg. Topeka, Kans.	Denied application for construction permit (B4-PEX-74); frequency 49.7, 49.9, and 99.8; 1 KW.
Zenith Radio Corp. T-135 S. LaSalle St. Chicago, Ill.	Granted application (B4-PEX-80); frequency 99.9 mc; 2 KW.
KCKN Broadcasting Co. Kansas City, Mo.	Denied application (B4-PEX-73); frequency 49.7, 49.9 and 99.8 mc; 1 KW.

FCC SETS HEARING ON TELEVISION RULES

The Federal Communications Commission has issued suggested regulations with reference to rules and regulations and standards of good engineering practice concerning television broadcasting. Following is the order and the suggested rules:

In the Matter of

Promulgation of Rules and Regulations and Standards of Good Engineering Practice for Commercial Television Broadcast Stations — DOCKET NO. 6780

Order

WHEREAS, The Commission on June 27, 1945, issued its final report allocating frequencies for television broadcasting;

WHEREAS, It is desirable that rules and regulations and standards of good engineering practice concerning television broadcasting should be promulgated as soon as possible; and

WHEREAS, The Commission has heretofore called an informal engineering conference for the purpose of discussing technical matters involved in standards of good engineering practice for television broadcasting.

NOW, THEREFORE, IT IS ORDERED, This 20th day of September, 1945, that a hearing be held before the Commission *en banc* beginning at 10:30 a.m., October 4, 1945, for the purpose of considering the promulgation of rules and regulations and standards of good engineering practice concerning television broadcasting. Persons desiring to appear at that hearing should file an appearance with the Commission on or before October 1, indicating the name of the person who will appear, the subject matter concerning which he will testify, and the length of time desired. Persons desiring to file briefs should file 25 copies with the Commission on or before October 1, 1945.

In order to give scope and direction to the hearing, there is set forth in the attached appendix the substance of suggested rules and regulations concerning the principal subjects to be considered by the Commission. Persons appearing at the hearing should address themselves to these suggested regulations and should indicate with particularity any objection they have to the regulations and any specific suggestions they have for any change in, or alternative to, the suggested regulations.

FEDERAL COMMUNICATIONS COMMISSION
T. J. SLOWIE, *Secretary*

Appendix

(1) *Minimum Operating Schedule.*—The licensee of each television broadcast station shall maintain a regular program operating schedule transmitting a standard television signal for a total of 6 hours per day. In addition, comment is requested as to whether the minimum operating schedule should be more or less than 6 hours per day and as to whether the Commission should provide for the sharing of some or all television channels by two or more licensees. If such sharing is provided for, the Commission will prescribe the hours each licensee is to operate.

(2) *Multiple Ownership.*—No person (including all persons under common control) [1] shall, directly or indirectly,

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[1] The word "control" as used herein is not limited to majority stock ownership, but includes actual working control in whatever manner exercised.

(Continued on next page)

own, operate, or control more than one television broadcast station, except upon a showing (1) that such ownership, operation, or control would foster competition among television broadcast stations or provide a television broadcast service distinct and separate from existing services, and (2) that such ownership, operation or control would not result in the concentration of control of television broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity: *Provided, however*, That no person (including all persons under common control), shall directly or indirectly own, operate, or control more than one television broadcast station that would serve substantially the same service area: *And provided, further*, That the Commission will regard the ownership, operation, or control of more than five television broadcast stations as constituting a concentration of control of television broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity.

(3) *Network Regulations*.—The chain broadcasting regulations shall be applicable to television stations.

(4) *Use of Common Antenna Site*.—No television license or renewal of a television license will be granted to any person who owns, leases, or controls a particular site which is peculiarly suitable for television broadcasting in a particular area; and (1) which is not available for use by other television licensees; and (2) no other comparable site is available in the area; and (3) where the exclusive use of such site by the applicant or licensee would unduly limit the number of television stations that can be authorized in a particular area or would unduly restrict competition among television stations.

(5) *Announcement of Mechanical Reproductions*.—Comment is invited concerning the desirability of requiring an appropriate announcement to be made when motion pictures or other mechanical reproductions are used in television broadcasting.

(6) *Station Identification*.—Comment is requested as to whether station identification should be by aural means, by video means, or by both and how frequently such announcements should be made.

(7) *Allocation Plan*.—The 13 channels available for television broadcasting shall be divided as follows:

(a) *Community Stations*.—A community station is designed to render service to those cities or communities which have fewer than two metropolitan stations as shown in the table below. However, community stations may be assigned to cities with two or more metropolitan stations upon a showing that this would not make impossible the assignment of a station to another city which has a reasonable probability of a station being located there. The power of a community station may not exceed an effective radiated peak power of 1 kilowatt with a maximum antenna height of 500 feet above the average terrain ten miles from the transmitter. Upon a proper showing that an antenna height in excess of 500 feet is available, authorization will be issued for such higher antenna but the Commission may in such cases require a reduction in radiated power.

A minimum separation of 90 miles normally will be provided in the case of community stations on the same channel and a minimum of 45 miles on adjacent channels. However, upon a showing that public interest would be served thereby, community stations may be located at closer distances. The main studio shall be located in the city or town served and the transmitter shall be located as near the center of the city as practicable.

Three television channels will be assigned to community stations. They are television channels 1, 12 and 13.

(b) *Metropolitan Stations*.—Metropolitan stations may be assigned to television channels 2 through 6 and 7 through 11, both inclusive. They are designed primarily to render service to a single metropolitan district or a principal city and to the rural area surrounding such metropolitan district or principal city. The Commission will determine the approximate service area[2] for metropolitan stations.

The table below sets forth the channels which are available at this time for the areas indicated. Attention should be called to the fact that as is pointed out in the Commission's Report of May 25, 1945, the 13 television channels which are available for television below 300 mc. are insufficient to make possible a truly nation-wide and competitive television system. Hence, the Commission has made available the space between 480 and 920 mc. for experimental television where more space exists and where color pictures and superior monochrome pictures can be developed through the use of wider channels. Applications may be filed for experimental stations between 480 and 920 mc.

The table below will be revised from time to time depending upon the demand for television stations which may exist in the various cities. Where it is desired to use a different channel in any such area, or to use one of the channels in another area conflicting therewith, it must be shown that public interest, convenience, or necessity will be better served thereby than by the allocation set forth in the table.

Stations in metropolitan or city areas not listed in the table will not be assigned closer than 150 miles on the same channel or 75 miles on adjacent channels, except upon an adequate showing that public interest, convenience, or necessity would be better served thereby or that by using lower power or by other means equivalent protection is provided.

Metropolitan stations will not be authorized to operate with an effective radiated peak power in excess of 50 kilowatts. No restriction is proposed at this time with respect to the maximum antenna height; however, a minimum height of 500 feet above the average terrain will be required, except upon a showing that it is not practical to obtain such height. In all cases the main studio shall be located in the city or metropolitan district with which the station is associated and the transmitter should be located so as to provide the maximum service to the city or metropolitan district and the surrounding rural area. A signal of at least 500 uv/m over the entire metropolitan district and at least 5000 uv/m over the business district of the principal city should be obtained (for a reasonable period reduced power will be permitted).

(c) *Rural Stations*.—Licensees of metropolitan stations or applicants who desire to qualify as licensees of rural stations must make a special showing to the Commission that they propose to serve an area more extensive than that served by a metropolitan station and that the additional area proposed to be served is predominantly rural[3] in character. In addition, a showing must be made that such use of the channel will not cause objectionable interference to other television stations or prevent the assignment of other television stations where there is reasonable evidence of the probability of such station being located in the future.

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[2] In determining service areas for particular communities, the Commission will give consideration to population distribution, terrain, trade areas, economics and other pertinent factors. There are several current and recognized authorities on retail trading areas or consumer trading areas from which the applicant may prepare its showing and to which the Commission will give consideration in making its determination. Among these recognized authorities are the following: J. Walter Thompson (Retail Shopping Areas), Hearst Magazines, Inc. (Consumer Trading Areas), Rand McNally Map Co. (Trading Areas), and Hagstrom Map Co.'s Four Color Retail Trading Area Map.

[3] As a guide, the Commission will consider that the additional area beyond the service area of a metropolitan station which is proposed to be served is predominantly rural in character if at least 50 per cent of the population proposed to be added within the 500 uv/m contour live in rural areas or in cities smaller than 10,000. In making this computation, cities with population in excess of 10,000 shall be excluded if the signal in such cities is less than 2000 uv/m. Exceptions to this rule will be made where a showing is made to the Commission that due to conditions of terrain or local factors, more extended service to unserved rural areas is possible by licensing rural stations to serve an area which does not meet the above requirements than would otherwise be possible.

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Table Showing Allocation of Television Channels to Metropolitan Districts in the United States

(NOTE: This table applies only to the 13 television channels available for commercial television. In addition, applications may be filed for experimental television stations between 480 and 920 megacycles.)

				Total Stations	
Metropolitan District (U. S. Census 1940)	*Sales Rank*	*Population*	*Channel Nos. (Metropolitan)*	*Metropolitan*	*Community*
Akron	35	349,705	2	1	1
Albany, Schenectady, Troy	23	431,575	2,4,7,9,11	5	–
Allentown, Bethlehem, Easton	43	325,142		0	1
Altoona	111	114,094	9	1	1
Amarillo	136	53,463	2,4,7	3	1
Asheville	132	76,324	5,7	2	–
Atlanta	25	442,294	2,8,11	3	–
Atlantic City	83	100,096		0	1
Augusta, Ga.	135	87,809	5	1	1
Austin	106	106,193	5,8,10	3	–
Baltimore	13	1,046,692	6,7,11	3	0
Beaumont, Port Arthur	90	138,608	3,8,10	3	–
Binghamton	75	145,156	2	1	1
Birmingham	42	407,851	4,6,9	3	–
Boston	5	2,350,514	2,4,7,9,11	5	0
Bridgeport, Conn.	53	216,621		0	1
Buffalo, Niagara	14	857,719	4,6,7,9	–	–
Canton, Ohio	63	200,352	11	1	1
Cedar Rapids	115	73,219	7,11	2	–
Charleston, S. C.	127	98,711	6,7,10	3	–
Charleston, W. Va.	88	136,332	2,6,7,11	4	–
Charlotte	99	112,986		0	1
Chattanooga	76	193,215	3,5,10	3	–
Chicago	2	4,499,126	2,4,7,9,11	5	0
Cincinnati	16	789,309	2,4,7,11	4	–
Cleveland	9	1,214,943	4,7,9	3	–
Columbia	117	89,555	2,4,8	3	–
Columbus, Ga.	133	92,478	3,5	2	–
Columbus, Ohio	29	365,796	3,8,10	3	–
Corpus Christi	121	70,677	3,8,10	3	–
Dallas	27	376,548	4,5,8	3	–
Davenport, Rock Island, Moline	67	174,995	2,4,9	3	–
Dayton	44	271,513	6	1	1
Decatur	122	65,764	2	1	1
Denver	26	384,372	2,4,7,9	4	–
Des Moines	59	183,973	2,4,9	3	–
Detroit	6	2,295,867	3,8,10	3	–
Duluth, Superior	72	157,098	3,8,10	3	–
Durham	139	69,683	3,8,10	3	–
El Paso	105	115,801	2,4,7	3	–
Erie	95	134,039	6	1	1
Evansville, Ind.	93	141,614	2,11	2	–
Fall River, New Bedford	55	272,648		0	1
Flint	64	188,554		0	1
Fort Wayne	81	134,385	2,4,7,9	4	–
Fort Worth	51	207,677	2,10	2	–
Fresno	79	97,504	2,4,7	3	–
Galveston	131	71,677	6,9,11	3	–
Grand Rapids	57	209,873	7	1	1
Greensboro	130	73,055	2,10	2	–
Hamilton, Middletown	110	112,686		0	*
Harrisburg	70	173,367	5	1	0
Hartford, New Britain	20	502,193	8,10	2	0
Houston	21	510,397	2,4,7	3	–
Huntington, W. Va., Ashland, Ky.	92	170,979	9	1	1
Indianapolis	24	455,357	3,5,8,10	4	–
Jackson	128	88,003	2,4,7	3	–
Jacksonville	66	195,619	2,4,8	3	–
Johnstown, Pa.	100	151,781		0	1
Kalamazoo	112	77,213	3	1	1
Kansas City, Mo., Kansas City, Kans.	17	634,093	2,4,9	3	–
Knoxville	87	151,829	2,4,8,11	4	–
Lancaster	91	132,027		0	0*
Lansing	94	110,356	6	1	1
Lincoln	109	88,191	5,10	2	–
Little Rock	98	126,724	3,8,10	3	–
Los Angeles	3	2,904,596	2,4,6,7,9,11	6	–
Louisville	33	434,408	6,9	2	–
Lowell, Lawrence, Haverhill	45	334,969		0	1
Macon	137	74,830	4,7,10	3	–
Madison	101	78,349	3	1	1
Manchester	118	81,932		0	1
Memphis	37	332,477	2,4,7,9	4	–
Miami	38	250,537	2,4,7	3	–
Milwaukee	15	790,336	3,5,8,10	4	–
Minneapolis. St. Paul	11	911,077	2,4,7,9	4	–
Mobile	119	144,906	3,9,11	3	–
Montgomery	126	93,697	10	1	1
Nashville	56	241,769	4,7,9	3	–
New Haven	39	308,228	5	1	0
New Orleans	31	540,030	2,4,7,10	4	–
New York, Northeastern New Jersey	1	11,690,520	2,4,7,9	4	0
Norfolk, Portsmouth, Newport News	47	330,396	4,6,7,11	4	–
Oklahoma City	52	221,229	2,4,9	3	–
Omaha, Council Bluffs	40	287,269	3,7	2	–
Peoria	69	162,566	3,5	2	–
Philadelphia	4	2,898,644	3,8,10	3	0
Phoenix	84	121,828	2,4,7	3	–
Pittsburgh	8	1,994,060	3,8,10	3	–
Portland, Maine	89	106,566	3,8	2	–
Portland, Oreg.	22	406,406	3,5,8,10	4	–
Providence, R. I.	18	711,500	9	1	1
Pueblo	140	62,039	3,8,10	3	–
Racine, Kenosha	97	135,075		0	1
Reading	73	175,355		0	1
Richmond	48	245,674	3,8,10	3	–
Roanoke	104	110,593	5,9	2	–
Rochester	28	411,970	2,11	2	–
Rockford	102	105,259	7	1	1
Sacramento	54	158,999	3,8,10	3	–
Saginaw, Bay City	77	153,388	2,9,11	3	–
St. Joseph	129	86,991	7	1	1
St. Louis	10	1,367,977	4,6,7,9	4	–
Salt Lake City	58	204,488	2,4,7,9	4	–
San Antonio	50	319,010	2,4,7,9	4	–
San Diego	49	256,268	3,8,10	3	–
San Francisco, Oakland	7	1,428,525	2,4,7,9,11	5	–
San Jose	78	129,367	6	1	1
Savannah	114	117,970	3,9,11	3	–
Scranton, Wilkes-Barre	30	629,581	11	1	1
Seattle	19	452,639	2,7,11	3	–
Shreveport	96	112,225	2,4,8	3	–
Sioux City	107	87,791	4,6,9,11	4	–
South Bend	80	147,022	8	1	1
Spokane	71	141,370	2,4,7,9	4	–
Springfield, Ill.	103	89,484	8,10	2	–
Springfield, Mass., Holyoke	32	394,623	3	1	0
Springfield, Mo.	134	70,514	2,4,9	3	–
Springfield, Ohio	125	77,406		0	1
Stockton	108	79,337		0	1
Syracuse	46	258,352	8,10	2	–
Tacoma	74	156,018	4,6,9	3	–
Tampa, St. Petersburg	61	209,693	2,4,7	3	–
Terre Haute	116	83,370		0	1
Toledo	34	341,663	5	1	1

– One community station may also be available in this city if a showing is made that such assignment would not make impossible the assignment of a station to another city which has a reasonable probability of a station being located there.

* Assigning a station to Lancaster would require deletion of a station from either Reading, York, Easton, Pa., or Wilmington, Del. Moreover, such a station in Lancaster would be severely limited by interference.

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Table Showing Allocation of Television Channels to Metropolitan Districts in the United States—*Continued*

Metropolitan District (U. S. Census 1940)	*Sales Rank*	*Population*	*Channel Nos. (Metropolitan)*	*Total Stations*	
				Metropolitan	*Community*
Topeka	123	77,749	7,11	2	1
Trenton	60	200,128	6	1	0
Tulsa	65	188,562	3,8,10	3	–
Utica, Rome	68	197,128	6	1	1
Waco	138	71,114	3,9,11	3	–
Washington	12	907,816	2,4,9	3	–
Waterbury	85	144,822		0	1
Waterloo	120	67,050	3,6	2	–
Wheeling	82	196,340	6	1	1
Wichita	86	127,308	2,4,9	3	–
Wilmington	62	188,974		0	1
Winston-Salem	124	109,833	8	1	1
Worcester	41	306,194	6	1	0
York	113	92,627		0	1
Youngstown	36	372,428	6	1	1

ANOTHER PAPER PAYS TRIBUTE TO RADIO'S WAR JOB

The following condensed chronology of radio in the war appeared in a recent edition of the Springfield, Mass. *Sunday Union and Republican:*

"While the fighting man was at the front doing his job and the defense worker turned out his vital material as the man behind the gun in World War II, radio wholeheartedly joined in to help with victory over the enemy. Tuesday, August 14, 1945, brought with it an official surrender statement of the Japanese for which the world had waited through these past several years of fighting and bombing.

"Since that fatal December 7, radio has been on the alert to bring to the public, service at its best. The following is a radio chronology of World War II:

—1941—

"December 7—Radio breaks the news at 2 p.m. Sunday of the Jap sneak attack on Pearl Harbor after which major networks went on a 24-hour basis and offered all facilities to the President.

"December 11—A mass effort on the part of sponsors, agencies and stations was evidenced in the hundreds of telegrams received by the Treasury Department pledging full cooperation to the sale of war bonds and stamps . . . television also came to the forefront and offered all its facilities in behalf of the war effort.

—1942—

"January 16—The word became 'mum' in this country on all matters pertaining to the war effort which might prove valuable to the enemy with the release by the office of censorship of its wartime code of practices for radio broadcasters.

"April 9—Radio was tagged 'essential occupation' in the Canadian manpower mobilization program.

—1943—

"January 26—Wavelengths were flooded with a barrage of broadcasts by both domestic and international transmitters on the Casablanca Conference.

"July 13—The first detailed account of the Allies invasion of Sicily was given by the industry when it utilized UP and AP as well as BBC announcements from Radio Algiers.

—1944—

"January 4—Quentin Reynolds, war correspondent, returned from England after covering the war from its outbreak on that continent to the London air blitz of 1940. He became narrator of the CBS 'Report to the Nation' program.

"January 31—Full coverage of the atrocity stories coming out of the treatment of Americans and Philippine warriors captured on Bataan at the hands of the Japanese was allowed in radio.

"February 4—Raymond Clapper, MBS commentator and foreign correspondent, was killed in a plane crash in the Marshall Islands, February 3, as reported by the industry.

"March 16—Radio covered the arrival of the Gripsholm, diplomatic exchange liner with 650 passengers released from German internment camps.

"April 10—The National Association of Broadcasters declared a necessity of replacing radio draftees with women 'to keep industry at full operating strength.'

"June 7—The D-day coverage by radio was one of the tell-tale turning points in the war at which time a listening audience was fully informed throughout the day and night. (According to figures released a few days later the D-day radio audience was estimated at 82 per cent above normal.)

"June 16—All networks received the news of the B-29 bombing of Japan.

"June 22—A disked description and accompanying sounds of a Nazi rocket-plane attack was made by Edward R. Murrow, CBS correspondent, and broadcast for listeners in this country.

"August 24—Postwar planning was stressed by NAB.

"October 2—The world series became a vicarious event for soldiers abroad, who heard the games by way of short wave.

"December 27—Maj. Glenn Miller, missing in a flight from England to the European continent, was saluted by the army.

—1945—

"January 17—After full participation in the war effort radio was finally classified as 'essential' by the WMC in a secondary classification.

"February 6—Radio was ready when the news of the fall of Manila to American forces came through to an alerted world.

"February 20—The problem of GI Joe returning home was faced by the industry which announced plans to cooperate with the OWI in helping to secure jobs for them. (Evidence of a promise carried out is shown in the willingness of radio publications to carry free announcements of 'jobs wanted.' Independent and network stations have already hired many returned veterans, many of whom had no prewar radio experience but who developed radio technical skills while in service. Local stations have war veterans on their pay rolls.)

"March 28—The first false peace rumor swept the nation over airwaves as the result of misinterpretation of the White House press secretary's statement.

"April 12—The death of President Roosevelt rocked the nation with sorrow and radio set aside three days of mourning in tribute to him.

"April 17—President Truman was heard in his first broadcast over all networks.

"April 19—A special tribute was paid by webs and stations to the late Ernie Pyle, news correspondent, killed by a Jap sniper on Okinawa.

"April 25—President Truman opened the United Nations Conference in San Francisco with an all-networks broadcast.

"April 28—Another false rumor flooded the country with the news that Germany had surrendered unconditionally. This was an AP release from the conference city.

"April 30—The death of Benito Mussolini made news in this country.

"May 1—News of the reported death of Adolph Hitler aroused a mixed sentiment in this country and abroad.

"May 2—The news of German capitulation flowed into this country and over the airwaves. This continued for several days until

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– One community station may also be available in this city if a showing is made that such assignment would not make impossible the assignment of a station to another city which has a reasonable probability of a station being located there.

"May 8—V-E day.

"June 19—Gen. Dwight D. Eisenhower became the first great conquering hero to return home and his arrival was fully celebrated by the nation and individually by New York with full coverage allowed in radio.

"June 26—President Truman closed the West coast conference after nine weeks of intensive coverage by networks.

"July 26—Election returns of the British Parliament were given extensive time on American networks because of the intense interest shown by North Americans in the outcome.

"August 3—Network newsrooms and special departments got set for stiff work when it was revealed that the big three would release simultaneously in respective capitals throughout the world a 6000-word summary of the Potsdam conferences.

"August 7—Revelation of the atomic bomb's use caused bombastic changes in networks and stations which prepared commentaries and dramatizations on the new fighting force which had drastically revolutionized the fighting world.

"August 9—Radio scored a beat on the world when it flashed the news of Soviet Russia's entry into the war against Japan.

"August 10—V-J day rumors began spreading.

"August 14—A day of victory for this country and its allies and a day of defeat for the self-appointed unsuccessful conqueror of man, a beaten Japan."

SCRIPT COURSE AT PENN U

Gordon Hawkins, Program and Educational Director of Westinghouse Radio Stations, Inc., will conduct a class in radio script-writing at the University of Pennsylvania this winter, it has been announced. The course will embody the advanced instruction that prevailed at the Summer Radio Workshop originated at Station KYW by Mr. Hawkins in cooperation with the Philadelphia Board of Education.

SALUTE TO RADIO

Under the heading *Salute to Radio*, the following editorial appeared in the Sept. 10 issue of the Niles, O., *Times:*

"While bows are being taken for efficient wartime service, let us bring to the front of the stage the radio broadcasting companies and their courageous overseas news staff. Ocean spans between oneself and one's loved ones were contracted night after night into that brief interval between the time the announcer said 'We take you now to Normandy' and the voice of one who was right there with the boys. And as the troops went on from the one objective to another the home folks went too—to the Seine, the Oder, the Rhine, and, in the Pacific, to Saipan, Guam, Leyte, Okinawa. Then, finally, the long-awaited, 'We take you now to Tokyo!'

"Night after night too, entertainment programs originating in the United States were short-waved to home-hungry lads abroad. And for the length of a song, or a swing band number, they airstepped to Broadway, Hollywood, and Main Street.

"Morale builder home front, War front, that was radio broadcasting in World War II."

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 1. They are subject to change.

Monday, October 1

NEW—George H. Thomas, James J. Davidson, Jr. and Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Co., New Iberia, La.—C. P.; **1240 kc.**, 250 watts, unlimited.

Further Hearing

WINS—Hearst Radio, Inc., assignor, New York, N. Y., and The Crosley Corporation, assignee, Cincinnati, Ohio—Voluntary assignment of license and construction permit.

Thursday, October 4

WSRR—Stephen R. Rintoul (Assignor), The Western Connecticut Broadcasting Company (Assignee), Stamford, Conn.—Voluntary assignment of license of radio station WSRR; **1400 kc.**, 250 watts, unlimited.

To Be Held Before the Commission En Banc at the Auditorium of the National Museum, Tenth Street and Constitution Avenue, N. W.

In the Matter of Promulgation of Rules and Regulations and Standards of Good Engineering Practice for Commercial Television Broadcast Stations.

Federal Communications Commission Action

APPLICATIONS GRANTED

KFJB—Earl M. Peak, deceased (transferor), Catherine R. Peak, Administratrix of estate of Earl N. Peak, deceased (transferee), Marshall Electric Co. (licensee), Marshalltown, Iowa—Granted consent to involuntary transfer of control of Marshall Electric Company, licensee of station KFJB, from Earl N. Peak, deceased, to Catherine R. Peak, Administratrix of the estate of Earl N. Peak, deceased; no monetary consideration involved.

KFJB—Catherine R. Peak, Administratrix of the estate of Earl N. Peak, deceased (transferor), Kenneth Durham, et al. (transferees), Marshall Electric Co. (licensee), Marshalltown, Iowa—Granted consent to voluntary transfer of control of Marshall Electric Co., licensee of station KFJB, from Catherine R. Peak, Administratrix of the estate of Earl N. Peak, deceased, to Kenneth Durham, Robert Root, Joseph Rosenfield and John Ruan, for approximately $28,245 for all the outstanding capital stock of the licensee and such consideration proposed to be paid to the creditors of the licensee.

Burns Avenue Baptist Church, Detroit, Mich.—Granted extension of permit under Sec. 325 (b) of the Communications Act of 1934, as amended, to transmit religious programs to station CKLW, Windsor, Ontario, Canada.

WMAJ—Center Broadcasters, Inc., State College, Pa.—Granted modification of construction permit authorizing a new station, for approval of antenna and approval of transmitter and studio locations at State College, Pa., and Glennland Bldg., State College, Pa., respectively. The permittee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations; conditions.

WATT—Midwestern Broadcasting Co., Cadillac, Mich.—Granted modification of construction permit which authorized a new station, for change in studio location to U. S. 131, Clam Lake Township, Mich.

KUTA—Utah Broadcasting Co., Salt Lake City, Utah—Granted modification of license to change partnership name to Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting & Television Co.

KVOR—Out West Broadcasting Co., Colorado Springs, Colo.—Granted authority to determine operating power by direct measurement of antenna power.

WBZA—Westinghouse Radio Stations, Inc., Boston, Mass.—

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Granted authority to determine operating power by direct measurement of antenna power.

WLIB—WLIB, Inc., Brooklyn, N. Y.—Granted authority to determine operating power by direct measurement of antenna power.

KALL—Salt Lake City Broadcasting Co., Salt Lake City, Utah—Granted modification of construction permit authorizing new station, for extension of completion date to 12-3-45. The permittee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations; conditions.

W2XRY—Raytheon Mfg. Co., New York, N. Y.—Granted license to cover construction permit for new developmental broadcast station; frequencies to be assigned by Comm. Chief Engineer from time to time; power 10 KW; to operate in accordance with Secs. 4.151 to 4.157 inclusive, and upon an experimental basis only; conditions.

Frank C. Carman, et al., d/b as Utah Broadcasting and Television Co., area of Salt Lake City, Utah—Granted construction permit for new relay station to be used with standard station KUTA; frequencies **30.82, 33.74, 35.82, 37.98 mcs.,** power 0.2 watts.

DOCKET CASES

The Commission announced adoption of Proposed Findings of Fact and Conclusions (B-2-8, Docket 6615) to deny the application of Sioux Falls Broadcast Association, Inc., for renewal of license of station KSOO, which operates on 1140 kilocycles, with 5 KW power, limited time.

The case involves an interpretation of Section 3.35 of the Commission's Rules regarding Multiple Ownership concerning stations KSOO and KELO (the latter operating on 1230 kilocycles, 250 watts, unlimited time), both located in Sioux Falls, South Dakota.

In order to afford the applicant an opportunity to make an orderly disposition of its property, however, the opinion provides that the denial of KSOO's renewal application shall not be effective for a period of six months, and the license of the station will be extended until March 25, 1946. At the end of that time, unless the applicant has contracted for the sale of one of its stations, and applied for an assignment of license or made other provisions to comply with the Multiple Ownership Rule, a denial of the renewal application of station KSOO will be entered forthwith.

The Commission also adopted an Order (B-214, Dockets 6491 and 6492), granting renewal of license of station KRBA, Red Lands Broadcasting Association, Lufkin, Texas, operating on 1340 kilocycles, 250 watts, unlimited time, and application for consent to assignment of license of station KRBA from Ben T. Wilson, R. A. Corbett, and Thomas W. Baker, d/b as Red Lands Broadcasting Association to Darrell E. Yates.

LICENSE RENEWALS

Licenses for the following relay broadcast stations were extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending December 1, 1945:

WKBR, American Broadcasting Co.; KAOV, KRIC, Inc.; WMWB, Port Huron Broadcasting Co.; WMFZ, WCBS, Inc.

Licenses for the following relay broadcast stations were further extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending December 1, 1945:

KFAA, A. H. Belo Corp.; KNED, Carter Publications, Inc.; WBGN, The Champaign News-Gazette, Inc.; WADA, Charleston Broadcasting Co.; WAUT, Evansville on the Air, Inc.; KIEL, Fisher's Blend Station, Inc.; WQER, Georgia School of Technology; KAGM, Hirsch Battery & Radio Co.; WJWA, Birney Imes, Jr.; KAXY, KEJR, KGKO Broadcasting Co.; KBTA, KBTB, Red River Broadcasting Co., Inc.; WAVB, The Scioto Broadcasting Co.; WAXL, Jonas Weiland, and WTNK, WOAX, Inc.

WJLD—George Johnston, Bessemer, Ala.—Granted renewal of license for the period ending August 1, 1947.

KTSW—Emporia Broadcasting Co., Emporia, Kans.—Granted renewal of license for the period ending August 1, 1947.

KTTS—Independent Broadcasting Co., Springfield, Mo.—Granted renewal of license for the period ending August 1, 1947.

WAIR—C. G. Hill & Geo. D. Walker, d/b as WAIR Broadcasting Co., Winston-Salem, N. C.—Granted renewal of license for the period ending February 1, 1947.

KFJB—Marshall Electric Co., Marshalltown, Iowa—Granted renewal of license for the period ending February 1, 1946.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending December 1, 1945:

KABC, San Antonio, Texas; KATE, Albert Lea, Minn.; KBPS, Portland, Ore.; KDNT, Denton, Texas; KFAM, St. Cloud, Minn.; KFIZ, Fond du Lac, Wis.; KGIW, Alamosa, Colo.; KGFF, Shawnee, Okla.; KGLU, Safford, Ariz.; KLBM, near La Grande, Ore.; KMYC, near Marysville, Cal.; KNET, Palestine, Texas; KOAL, near Price, Utah; KORE, Eugene, Ore.; KRBC, Abilene, Texas; KRIC, Beaumont, Texas; KRBM, Bozeman, Mont.; KSAN, San Francisco; KTRI, Sioux City, Iowa; KVAK, Atchison, Kans.; KWAL, Wallace, Idaho; KWBW, Hutchinson, Kans.; WACO, Waco, Texas; WAGM, Presque Isle, Maine; WAOV, Vincennes, Ind.; WASK, Lafayette, Ind.; WAZL, Hazleton, Pa.; WCBS, Springfield, Ill.; WCRS, Greenwood, S. C.; WEED, near Rocky Mount, N. C.; WFMJ, Youngstown, Ohio; WFNC, Fayetteville, N. C.; WFPG, Atlantic City, N. J.; WGL, Ft. Wayne, Ind.; WGNC, Gastonia, N. C.; WGOV, Valdosta, Ga.; WGPC, Albany, Ga.; WHDL, Town of Allegany, N. Y.; WHFC, Cicero, Ill.; WHIT, near New Bern, N. C.; WHLS, Port Huron, Mich.; WHMA, Anniston, Ala.; WIBM, Jackson, Mich.; WILM, Wilmington, Del.; WJMS, Ironwood, Mich.; WJPA, Washington, Pa.; WKEU, Griffin, Ga.; WKIP, Poughkeepsie, N. Y.; WLAP, Lexington, Ky.; WLAY, Muscle Shoals City, Ala.; WLEU, Erie, Pa.; WLPM, Suffolk, Va.; WMAS, Springfield, Mass.; WMBH, Joplin, Mo.; WMFJ, Daytona Beach, Fla.; WMVA, near Martinsville, Va.; WNAB, Bridgeport, Conn.; WNOE, New Orleans, La.; WPAD, Paducah, Ky.; WPAR, Parkersburg, W. Va.; WRLC, Toccoa, Ga.; WSLI, Jackson, Miss.; WSPB, Sarasota, Fla.; WWDC, main and Synchronous Amplifier, Washington, D. C.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon renewal applications, for the period ending December 1, 1945:

KDAL, Duluth; KELO, Sioux Falls; KFYO, Lubbock, Texas; KGFL, Roswell, N. Mex.; KHUB, Watsonville, Calif.; KLUF, near Galveston, Texas; KMYR, Denver; KOCA, Kilgore, Texas; KOCY, Oklahoma City; KORN, Fremont, Neb.; KPDN, Pampa, Texas; KPFA, Helena, Mont.; KRKO, Everett, Wash.; KRLC, Lewiston, Idaho; KTOK, Oklahoma City; KVFD, Fort Dodge, Iowa; KVGB, Great Bend, Kans.; WABY, Albany, N. Y.; WARM, Scranton, Pa.; WATL, Atlanta, Ga.; WATW, Ashland, Wis.; WBLK, Clarksburg, W. Va.; WBNY, Buffalo; WBTH, Williamson, W. Va.; WCBI, Columbus, Miss.; WCLS, Joliet, Ill.; WCNC, Elizabeth City, N. C.; WCOS, Columbia, S. C.; WDAS and auxiliary, Philadelphia; WDEF, Chattanooga; WDWS, Champaign, Ill.; WELO, Tupelo, Miss.; WEOA, Evansville, Ind.; WFIG, Sumter, S. C.; WFOR, Hattiesburg, Miss.; WGAU, Athens, Ga.; WGH, Newport News, Va.; WGIL, Galesburg, Ill.; WGRC, Louisville, Ky.; WGRM, Greenwood, Miss.; WHBQ, Memphis; WHDF, Calumet, Mich.; WHLB, Virginia, Minn.; WHYN, Holyoke, Mass.; WIBG, Glenside, Pa.; WINC, Winchester, Va.; WJAC, Johnstown, Pa.; WJBY, Gadsden, Ala.; WJHO, Opelika, Ala.; WJLB, Detroit; WJMC, Rice Lake, Wisc.; WJXN, Jackson, Miss.; WJZM, Clarksville, Tenn.; WKEY, Covington, Va.; WLAV, Grand Rapids, Mich.; WLLH, Main and Synchronous Amplifier, Lowell, Mass.; WMBR, Jacksonville, Fla.; WMFD, Wilmington, N. C.; WNBH, New Bedford, Mass.; WNEW and auxiliary, New York City; WOLS, Florence, S. C.; WOV and auxiliary, New York City; WPAY, Portsmouth, Ohio; WRAK, Williamsport, Pa.; WRDO, Augusta, Maine; WRJN, Racine, Wisc.; WRLD, West Point, Ga.; WROX, Clarksville, Miss.; WSAM, Saginaw, Mich.; WSAY, Rochester, N. Y.; WTAL, Tallahassee, Fla.; WSLB, Ogdensburg, N. Y.; WTCM, Traverse City, Mich.; WTEL, Philadelphia; WTOL, Toledo, Ohio; KHMO, Hannibal, Mo.; KIUN, Pecos, Texas; WMGA, near Moultrie, Ga.; WSBC, Chicago.

WWDC—Capital Broadcasting Co., Washington, D. C.—Granted extension of authority for waiver of Sections 2.53 and 13.61 of the Commission's Rules so as to permit operation of synchronous amplifier of station by remote control from the main transmitter location, for the period ending December 1, 1945, upon the same terms and conditions as the existing authorization for such operation.

W8XWI—Guy S. Cornish, area of Cincinnati, Ohio.—Extended upon a temporary basis only, pending determination upon application for renewal, for the period ending December 1,

(Continued on next page)

1945, the license for Public Address Relay Class II Experimental broadcast station.

Columbia Broadcasting System, Inc., New York City.—Granted extension of permit under Sec. 325(b) of the Communications Act to use studios and appartus of the stations owned by and those affiliated with the applicant in the U. S. and its possessions, for production of programs to be transmitted to Canadian stations CFRB and CKAC, and other stations of the Canadian Broadcasting Corp. for broadcasting. (B1-FP-144)

National Broadcasting Co., Inc., New York City.—Granted extension of permit under Sec. 325(b) of the Communications Act of 1934, as amended, to use studios and apparatus in New York City and other points in the U. S. for production of *network* programs for broadcast by Canadian stations consistently heard in the U. S. (B1-FP-147)

National Broadcasting Co., Inc., New York City.—Granted extension of permit under Sec. 325(b) of the Communications Act of 1934, as amended, to use studios and apparatus at its recording laboratories in New York City and other points in the U. S. for production of *recorded* material for broadcast by Canadian stations consistently heard in the U. S. (B1-FP-148)

MISCELLANEOUS

Utica Observer-Dispatch, Inc., Utica, N. Y.—Granted petition to correct the record without further hearing, in the matter of applicant's application for new station and that of Mid-State Radio Corp., Inc., for a new station in Utica.

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted motion for leave to amend application for renewal of license so as to correct paragraph 15 of the application.

Joe L. Smith, Jr., Charleston, W. Va.—Granted motion for leave to amend application for construction permit for new station.

Orangeburg Broadcasting Corp., Orangeburg, S. C.—Granted petition to amend application for new station so as to show changes in issued stock of applicant since March 1945, and ordered the amendment to be made a part of the application. This application is designated for consolidated hearing with applications of Augusta Broadcasting Co., Charleston, S. C., and the Observer Radio Co., Orangeburg, S. C., for new stations.

WSRR—Stephen R. Rintoul (Assignor), The Western Conn. Broadcasting Co. (Assignee), Stamford, Conn.—Granted joint petition for continuance of hearing on application for voluntary assignment of license, now scheduled for October 4, and continued same to October 9, 1945.

George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Co., New Iberia, La.—Granted motion for continuance of hearing on application for new station, now scheduled for October 1, and continued same to November 1, 1945.

APPLICATIONS FILED AT FCC

580 Kilocycles

WGAC—The Twin States Broadcasting Co., Augusta, Ga.—Construction permit to change frequency from **1240 kc.** to **580 kc.**, increase power from 250 watts day and night to 5 KW day and 1 KW night, install new transmitter and directional antenna for night use, and change transmitter location from Augusta, Ga., to about one-half mile southwest of Martinez, Georgia. Amended: to change type of transmitter.

620 Kilocycles

NEW—Virginia Broadcasting Corp., Roanoke, Va. (P.O. 416 So. Jefferson St., Roanoke, Va.)—Construction permit for a new standard broadcast station to be operated on **620 kc.**, power of 1 KW—DA and unlimited hours of operation.

660 Kilocycles

KSKY—Sky Broadcasting Service, a partnership composed of A. L. Chilton, Leonore H. Chilton and James Ralph Wood, Dallas, Texas.—Construction permit to increase power from 1 KW to 50 KW, install new transmitter and change transmitter location.

950 Kilocycles

WLOF—Hazelwood, Inc., Orlando, Fla.—Construction permit to change frequency from **1230 kc.** to **950 kc.**, increase power from 250 watts to 5 KW, install new transmitter and directional antenna for night use, and change transmitter location from near Orlando, Florida, to near Orlovista, Fla.

1230 Kilocycles

WCOL—Lloyd A. Pixley, Martha P. Pixley, Milton A. Pixley and Grace M. Pixley, partners, d/b as The Pixleys, Columbus, Ohio.—Construction permit to install new transmitter and vertical antenna and change transmitter location 33 N. High Street to 600 feet south of factory building at 555 West Goodale Street.

KOAL—Eastern Utah Broadcasting Co., Price, Utah—Construction permit to change frequency from **1450** to **1230 kc.**

WHOP—Hopkinsville Broadcasting Co., Inc., Hopkinsville, Ky.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

WBBL—Grace Covenant Presbyterian Church, M. A. Sitton, Agent, Richmond, Va.—Modification of construction permit (B2-P-3638, as modified which authorized change in frequency, increase in power, change in hours of operation, and changes in transmitting equipment) for changes in antenna, change in transmitter location from 1627 Monument Avenue to corner Southampton and Colorado Avenues and extension of completion date from 1-1-46 to 30 days after grant.

WATT—Midwestern Broadcasting Co., Cadillac, Mich.—Modification of construction permit (B2-P-3810, as modified which authorized a new standard broadcast station) for change in studio location from Cadillac, Mich., to Clam Lake Township, Mich.

WATT—Midwestern Brodcasting Co., Cadillac, Mich.—License to cover construction permit (B2-P-3810, as modified) which authorized a new standard broadcast station.

WATT—Midwestern Broadcasting Co., Cadillac, Mich.—Authority to determine operating power by direct measurement of antenna power.

NEW—Robert W. Rounsaville and George M. Clark, d/b as Elizabethton Broadcasting Co., Elizabethton, Tenn. (P.O. Box 829).—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

1250 Kilocycles

KWSC—State College of Washington, Pullman, Wash.—Authority to determine operating power by direct measurement of antenna power.

1340 Kilocycles

NEW—Jose Bechara, Jr., Mayaguez, Puerto Rico (P.O. Box 72, Mayaguez, Puerto Rico).—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

WMLT—George T. Morris, Wilmer D. Lanier and J. Newton Thompson, d/b as Dublin Broadcasting Co., Dublin, Ga.—Voluntary assignment of license to George T. Morris and J. Newton Thompson, d/b as Dublin Broadcasting Company.

WNHC—Elm City Broadcasting Corp., New Haven, Conn.—Authority to determine operating power by direct measurement of antenna power.

1380 Kilocycles

WTSP—Pinellas Broadcasting Co., St. Petersburg, Fla.—Construction permit for increase in power from 1 KW day and 500 watts night to 5 KW day and night, installation of new transmitter and directional antenna for night use, and change transmitter location from St. Petersburg, Florida, to outside north end of city limits of St. Petersburg, Florida.

(Continued on next page)

1390 Kilocycles

NEW—Old Dominion Broadcasting Corp., Lynchburg, Virginia (P.O. 218 Woodland Avenue, Lynchburg, Va.).—Construction permit for a new standard broadcast station to be operated on **1390 kc.**, power of 1 KW, directional antenna and unlimited hours of operation.

1400 Kilocycles

NEW—Harry Willard Linder, Willmar, Minn. (P.O. 307 W. 6th Street, Willmar, Minn.).—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation.

WMGA—Frank R. Pidcock, Sr., Moultrie, Ga.—Voluntary assignment of license to John F. Pidcock.

1420 Kilocycles

WWPG—Palm Beach Broadcasting Corp., Palm Beach, Fla.—Construction permit to change frequency from **1340 kc.** to **1420 kc.**, increase power from 250 watts to 1 KW and install new transmitter.

WCBM—Baltimore Broadcasting Corp., Baltimore, Md.—Construction permit to change frequency from **1400 kc.** to **1420 kc.**, increase power from 250 watts to 5 KW and install new transmitter and directional antenna for day and night use.

1450 Kilocycles

NEW—Cedar Rapids Broadcasting Corporation, Inc., Cedar Rapids, Iowa (P.O. Cedar Rapids, Iowa). (Temp. P.O. c/o Geo. B. Porter, Earle Bldg., Washington 4, D. C.).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Blanfox Radio Company, Inc., Norton, Va.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: to make changes in transmitting equipment, change type of antenna and specify transmitter location as 1 mile West of City Limits, Norton, Virginia.

1460 Kilocycles

WHEC—WHEC, Inc., Rochester, N. Y.—Construction permit to increase power from 500 watts night and 1 KW day to 5 KW day and night, install new transmitter and directional antenna for night use, and change transmitter location from Rochester, N. Y., to Brighton, N. Y.

1480 Kilocycles

WRDW—Augusta Broadcasting Company, Augusta, Ga.—Authority to determine operating power by direct measurement of antenna power.

1490 Kilocycles

WLAT—Augusta Broadcasting Company, Augusta, Ga.—Authority to determine operating power by direct measurement of antenna power.

WLAT—Loys Marsdon Hawley, Conway, S. Car.—License to cover construction permit (B3-P-3709) which authorized a new standard broadcast station.

FM APPLICATIONS

WEAF-FM—National Broadcasting Co., Inc., New York, N. Y.—Construction permit to change frequency from **45.1 mc.** to **94.9 mc.** (Channel #35).

WEHS—WHFC, Inc., Chicago, Ill.—License to cover construction permit (B4-PH-36, as modified) which authorized a new high frequency FM broadcast station.

NEW—WJW, Inc., Cleveland, Ohio.—Construction permit for a new high frequency (FM) broadcast station to be operated on Channel to be assigned in the **92-106 mc.** band with coverage of 10,600 square miles.

TELEVISION APPLICATIONS

NEW—Intermountain Broadcasting Corp., Salt Lake City, Utah (P.O. 143 So. Main Street, Salt Lake City, Utah).—Construction permit for a new commercial television broadcast station to be operated on Channel #2 **(54-60 mc.)** and ESR of 1,060.

NEW—The Crosley Corporation, Cincinnati, Ohio.—Modification of construction permit (B2-PVB-23 as modified, which authorized a new experimental television broadcast station) for extension of completion date only from 10-28-45 to 4-28-46.

NEW—WCAU Broadcasting Co., Philadelphia, Pa.—Construction permit for a new commercial television broadcast station to be operated on Channel #5 **(84-90 mc.)** and ESR of 1,128. Amended: to change frequency from Channel #5 **(84-90 mc.)** to Channel #6 **(82-88 mc.)**.

NEW—Pacific Coast Broadcasting Co., Los Angeles County, Calif. (P.O. 1401 South Oak Knoll, Pasadena, Calif.).—Construction permit for a new experimental television broadcast station to be operated on Channel #6 **(82-88 mc.)**, emission not specified.

MISCELLANEOUS APPLICATIONS

KOWH—World Publishing Co., Omaha, Nebr.—Construction permit to increase power from 500 watts to 10 KW, change hours of operation from daytime to unlimited time, install new transmitter and directional antenna for day and night use, and change transmitter location.

NEW—Farnsworth Television and Radio Corporation, area of Fort Wayne, Indiana (P.O. 3700 East Pontiac St., extended, Fort Wayne, Ind.).—Construction permit for a new relay broadcast station to be operated on **30.82, 33.74, 35.82** and **37.98 mc.**, power of .1 watt and A3 emission.

NEW—Farnsworth Television and Radio Corporation, area of Fort Wayne, Indiana (P.O. 3700 East Pontiac St., extended, Fort Wayne, Ind.).—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190** and **2830 kc.**, power of 25 watts and A3 emission.

WBPC—Georgia School of Technology, Atlanta, Ga.—License to cover construction permit (B3-PRY-302) which authorized a new relay broadcast station.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

M. B. Waterman Pen Co., 333 South Market Street, Chicago, and Max B. Waterman, are charged in a complaint with misrepresentation in connection with the sale of fountain pen and pencil sets and rings. Waterman is president and treasurer of the respondent company and also trades as M. B. Waterman & Co., and M. B. Waterman Co. (5381)

No cease and desist orders or stipulations were issued last week by the Commission.

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 40, October 5, 1945

NAB BOARD MEETS

With Justin Miller presiding for the first time in his capacity as President the Board of Directors held a two-day session in Washington on Monday and Tuesday (1-2). All members of the Board were present except George D. Coleman, 3rd District Director, who was prevented by illness from attending.

BMB Board Representation

J. O. Maland, WHO, and Robert T. Mason, WMRN, were re-elected as two of the six NAB representatives on the Broadcast Measurement Bureau Board of Directors. They will complete a one year term ending January 1 and their new term is for three years. The other members of the BMB Board from NAB are J. Harold Ryan, WSPD, and Roger W. Clipp, WFIL, two-year term; Frank M. Russell, NBC, and Frank Stanton, CBS, one-year term.

Awards Considered

The Board gave consideration to the matter of awards for meritorious service in the radio art. The Board expressed the view that careful investigation should be conducted by a special committee of Board members to be appointed by the President, to determine the degree of interest in, and the methods of handling a system of awards. The committee is to conduct its investigation and report at the next Board meeting to be held, probably, shortly after the first of the year.

FMBI Consolidation

A special committee of the Board appointed by President Miller consisting of Paul W. Morency, WTIC, Leslie Johnson, WHBF, and Frank Stanton, CBS, met with a similar committee appointed by President Walter Damm of the Frequency Modulation Broadcasters, Inc., consisting of Wayne Coy, Gordon Gray and Cecil Mastin. The NAB committee was supplemented by President Miller, retiring President J. Harold Ryan, and Secretary-Treasurer, C. E. Arney, Jr. The matter of bringing about a consolidation of the two organizations was discussed at length and a plan to be considered by the FMBI Board which is to meet in Chicago on October 20, was submitted. No final action was taken.

Veterans Problems Discussed

Ways and means by which broadcasters might assist in the rehabilitation and reconversion to civilian life of veterans was discussed at length. The President and Secretary-Treasurer were asked to assemble all useful information with reference to technical and other courses in radio to be made available to veterans upon request and to separation centers. The broadcasters were urged to cooperate with local agencies in developing and conducting campaigns to place veterans in employment.

Employee-Employer Relations

President Miller was asked to use his best efforts to complete the organization of the Employee-Employer Relations Department to consist of a competent, full time director and such personnel as may be necessary to provide the membership with the continuing and complete service of research, information and counsel in the broad field of employee-employer relations and Governmental laws and regulations relating thereto. This action was a reiteration of the policy expressed at previous Board meetings.

Clearance of Government Material

Ways and means to bring about an orderly handling of the material originating in the various Government Departments for use by radio stations was given consideration. The Board was informed that temporarily the network allocations plan has been taken over by the Advertising Council of which NAB is a subscribing member. NAB has held conferences with former OWI officials and heads of Press and Radio Sections of several of the Government Departments looking to the establishment of a feasible plan to handle the station allocations plans at the local level. No definite developments have occurred but the President and Secretary-Treasurer were instructed to continue these negotiations.

Pan-American Broadcasters Association

A proposed plan to organize a Pan-American Association of Commercial Broadcasters originated at the Rio de Janeiro conference was presented to the Board. The President was authorized to create a committee to carefully study the proposal.

Time Changes Discussed

The effect of time changes upon radio station operation was a topic of lengthy discussion. It was pointed out that the varying times in different sections of the country create a chaotic condition and some steps should be taken to bring about greater uniformity. It was the sense of the Board that it is essential that radio broadcasting be operated nationally on a uniform basis of time. The Board went on record to the effect that NAB bring the matter to the attention of legislative and other proper Governmental agencies with a view to seeking uniformity.

Radio News Recommendations

Recommendations submitted by the Radio News Committee were considered and approved by the Board. A story regarding these recommendations appears elsewhere in the REPORTS.

BMI Progress

Sydney Kaye, Vice President and Counsel, and Merritt Tompkins, Vice President and General Manager of Broadcast Music, Inc., reported to the Board the progress which

(Continued on next page)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

BMI is making in helping to solve the music problem of broadcasters. They urged a more careful supervision by station management of the use of music. The Music Committee of NAB was asked to consider ways and means whereby broadcasters could be assisted in better utilizing the music available under their performance rights contracts.

1946 Convention

The Convention Committee of the Board was instructed, with the President and Secretary-Treasurer, to give immediate consideration to a time and place for the holding of the 1946 membership meeting. They are to confer with Government officials to ascertain what time would least interfere with Government transportation requirements.

Inaugural Dinner

At the conclusion of its two-day session, the Board attended the inaugural dinner held in honor of Justin Miller's induction as President of NAB. A story regarding this dinner appears elsewhere in the Reports.

PRESIDENT JUSTIN MILLER INAUGURATED

(The inaugural address of President Miller, and those delivered by Ryan and Porter accompany this issue of NAB Reports *in Special Information Bulletin No. 20.)*

Entering upon a new phase in a long and distinguished career of public service, Justin Miller became the fifteenth president of the National Association of Broadcasters at an inaugural dinner given in his honor by NAB, on October 2, at the Hotel Statler, Washington. More than 700 guests prominent in the affairs of the Nation listened to his inaugural address and addresses by Harold Ryan, retiring NAB President, and Chairman Paul A. Porter of the Federal Communications Commission. Miller later delivered parts of his inaugural address over CBS.

Don S. Elias, WWNC, served as toastmaster at the dinner.

Harold Ryan, in formally turning over the office of President to Miller, said: "The future of radio is bright for the American people. It offers new vistas in Frequency Modulation, Television and Facsimile. New frontiers are constantly opening in radio before our very eyes. We in the National Association of Broadcasters are fortunate in securing the services during this important expansion period of so eminent a public servant as Mr. Justice Miller. In him broadcasters have implicit confidence. I have served as President of the Association for eighteen months. With profound gratitude to the broadcasters of the country who have given me such magnificent support, it is now my happy privilege to turn the office of President of the National Association of Broadcasters over to our Fifteenth President, the Honorable Justin Miller."

Among the many expressions of "best wishes" accorded NAB's new President, were those conveyed in a letter from President Harry S. Truman. The letter, dated September 29, follows in full:

"I regret that I am unable to attend the dinner at which you are to be inducted as the President of the National Association of Broadcasters. However, I do want to extend to you an expression of best wishes for success as you assume these new responsibilities.

"Science has vastly expanded the frontiers of communications, including broadcasting. The critical question is whether we are wise and skillful enough to utilize these increased opportunities for the maximum public benefit. Certainly these advances show that broadcasting is still a growing, dynamic industry. And its past achievements further demonstrate that those who have developed the service to its present state are not content with merely maintaining the status quo.

"We all look to communications to provide in abundant measure new opportunities for employment and economic activity. We further expect that it will make new and important contributions to our way of life. Government is prepared to discharge its full responsibilities in the achievement of common objectives and will take all appropriate measures to encourage and facilitate the new developments that give such great promise for the future.

"The problems which face your group call for the exercise of a high degree of industrial statesmanship to reach proper solutions. Your own record of public service gives excellent promise that this type of leadership will be available to meet the challenging times ahead."

A. D. ("Jess") Willard, Jr., assumed his new duties as Executive Vice President of NAB at the same time.

COMMISSION APPLAUDS MILLER SELECTION

The Federal Communications Commission in a special news release states that it believes that the National Association of Broadcasters has exercised great wisdom and discrimination in the choice of Justin Miller as president and looks forward to constructive and harmonious relationships on an even broader basis than heretofore, Chairman Paul A. Porter said in a speech at the inaugural dinner for Justice Miller at the Statler Hotel, Tuesday night, October 2.

Justice Miller's record, he declared, is clear proof that American broadcasters have no desire to rest upon past achievements but face tomorrow with hope and confidence in themselves and the people whom they serve. (For text of Chairman Porter's remarks at Miller inaugural dinner see Special Information Bulletin No. 20.)

CLEAR CHANNEL HEARING POSTPONED

The Federal Communications Commission on October 3 adopted an order, on its own motion, postponing until 10:30 o'clock A.M., Monday, January 14, 1946, the hearing now scheduled for 10:30 o'clock A.M., Tuesday, October 23, 1945, in the matter of Clear Channel Broadcasting in the Standard Broadcast Band (Docket No. 6741); and denied the petition of Clear Channel Broadcasting Service, and its 16 members, for an indefinite postponement of that hearing.

The Commission has presently pending before it hundreds of applications for FM, Standard and Television construction permits and licenses, which have been necessarily held in abeyance during the war period, or which have been filed since August 7, 1945, when public notice was given that the Commission would begin processing applications 60 days from that date. The processing of these applications, hearings incident thereto, and other

(Continued on next page)

problems arising out of reconversion, will require much time of the Commission and its staff in the immediate future.

Besides the huge task confronting it on applications, the Commission must begin at once the work in preparation for forthcoming international conferences in November and December.

In addition to all this, the work of the Engineering Committees engaged in preparing basic underlying data in connection with the Clear Channel Survey is not yet completed, and cannot be completed by October 23, 1945. The work of these Committees should be completed by January 1, 1946, so that the results may be submitted in evidence at the hearing January 14, 1946. However, the Commission intends to begin the hearing on that date regardless of whether or not the Committees have completed their work and will receive at that time whatever evidence is ready for presentation.

TELEVISION HEARING POSTPONED

The Federal Communications Commission has issued an order postponing from October 4 to October 11, the hearing in connection with television stations. In its order the Commission says:

> WHEREAS, The Commission has ordered a hearing in the above-entitled matter for October 4, 1945; and
>
> WHEREAS, The Commission has been advised by several persons interested in the promulgation of the rules and regulations for commercial television that it will be difficult for them to prepare adequately for the hearing by October 4, 1945; and
>
> WHEREAS, The Commission's staff can be better prepared for the hearing on October 11 than October 4;
>
> NOW, THEREFORE, It is ordered on the Commission's own motion this 28th day of September, 1945, that the hearing in the above-entitled matter is continued until October 11, 1945, at 10:30 a.m. Time for filing appearance and briefs is extended to October 8, 1945.

FM PROTESTS TO BE HEARD

The Federal Communications Commission has adopted an order scheduling a hearing for October 15, 1945, to hear the protests which have been filed by Columbia Broadcasting System, National Broadcasting Company and Bamberger Broadcasting Service, Inc., concerning the assignment which the Commission made to the existing FM stations in New York metropolitan district.

The protests from Columbia Broadcasting System, National Broadcasting Company, and Bamberger Broadcasting Service, Inc., are the only ones which the Commission has received concerning the frequency assignment made by the Commission. Objection has been made by some licensees concerning the power authorized by the Commission. These protests concerning power will be considered at a future date. The scope of the hearing set for October 15 will be limited to the objections which have been filed concerning the assignment of frequencies.

Several requests have also been received for extensions of time within which to make the change-over to the new frequency. These requests will be acted on at a later date when the Commission has more complete information from each of the licensees concerning the progress he has made toward converting his operation to the higher band.

FCC WILL CONSIDER COMPETITIVE BIDS

As announced in the Federal Communication Commission's decision in the matter of the transfer of the license of Station WLW from Powel Crosley, Jr., to The Aviation Corporation (Docket No. 6767) (see NAB REPORTS, page 401), the Commission is presently engaged in the preparation of proposed rules effectuating the procedures governing the Commission's consideration of future transfer cases.

Pending the issuance of proposed rules, public hearing thereon and final adoption, consideration of applications for transfer to which the procedure would be applicable, as stated by the Commission in the Crosley decision, will be deferred. However, the Commission recognizes that some applicants may be desirous of following the general principles of the procedures in that decision without awaiting the adoption of the final rules. Accordingly in any cases where applicants desire to follow such general procedure pending the adoption of formal rules, they may file a statement to that effect supplementary to the application and include in such statement the details of a specific procedure, within the framework of the announced procedure in the Crosley decision, which the applicants propose to follow. The Commission will consider the proposed procedure suggested by such applicants and if it is found satisfactory, the applicant will be so advised or will be advised that the proposed procedure with certain modifications is acceptable. Such applicants may then proceed in the manner thus approved.

NATIONAL RADIO WEEK

November 4–10

Radio's 25th Anniversary

FCC ACTS ON TIME CHANGE

The FCC has re-established "mean astronomical time" as the time designated in licenses and construction permits specifying average sunrise and sunset times.

The order (No. 129) was necessitated by reason of the repeal of the Daylight Savings (War) Time statute. Order No. 90 was simultaneously repealed.

NATIONAL RADIO WEEK SPECIAL BULLETIN ENROUTE

Special Twenty-fifth Anniversary Bulletin No. 20, on the press as this issue of REPORTS is mailed out, will follow in the mail immediately.

This Bulletin gives details of Radio Manufacturers Association plans for National Radio Week, cooperation under way from the National Retail Dry Goods Association and the American Retail Federation, old timers' programs planned by the Radio Executives Club of New York City and the Chicago Radio Management Club, with suggestions for local civic club programs on the same pattern, and announces the preparation of National Radio Week posters, 22 by 35 inches, for station use.

Please study and circulate this Bulletin to the proper station personnel.

VOLUNTARY CENSORSHIP JUSTIFIED

An interesting aftermath of the voluntary censorship policy in effect during the war, was called to attention by station KFBK at Sacramento, California. Immediately after Pearl Harbor, such programs as the "Inquiring Microphone" and others of an ad lib nature were banned because it was thought they might be heard in Japan and someone might attempt to broadcast a coded signal.

Proof that such action was justified was confirmed when Seaman First Class Eugene Farber of Sacramento, who is now stationed in Japan, wrote to KFBK and said, "I wish to inform you that at 0230 a. m. PCT, I picked up some good American music amidst all of the Japanese chatter on the broadcast band. I was almost knocked from my seat when I heard the announcer say that it was KFBK, Sacramento. I sat up all night listening to my home town station. It was Sunday morning, September 16 * * *. For several hours you were really banging in, but after awhile you began to fade a little. You were, however, 'readable' all of the time. * * * It is now 1430 Monday 17th, PCT, and I can still hear your station. It has been 30 hours and there are no signs of complete fading. I am in Japan and listening to an American local station is an odd pleasure."

MAGAZINES BOOST RADIO'S 25TH ANNIVERSARY

Two selected publications, *Look* and *Tune-In*, will make a timely appearance on the newsstands of the Nation, and in the homes of radio listeners, prior to National Radio Week, with features devoted to Radio's 25th Anniversary. *Tune-In*, with the full November issue designated as *Radio's 25th Anniversary Number*, goes on sale Oct. 5, with 50 pages devoted mostly to pictures, but also containing many stories, editorials, and articles by persons who have played prominent parts in the history and development of radio.

Look, issue of Nov. 13, will appear on Oct. 31, with a four-page layout of 56 pictures, which is prominently plugged on the front cover.

As mentioned in a recent letter to station managers, the pictures were selected by editors of the two magazines almost exclusively from those mailed by broadcasters to the NAB News Bureau in response to a request which was sent to all stations several weeks ago. All of these were submitted to the editors, and their judgment prevailed entirely in making the selections as based upon the reader interest the pictures possessed.

A glossy print of the front cover of the issue of *Look* has been received by NAB, stating that prints of the entire section are on the way. As soon as these are received, offsets will be made and rushed to the stations.

These two magazines reach an estimated 15-million readers. Stations are urged to explore all possible publicity angles to bring these pictures, many of which possess great nostalgic interest, to the attention of their readers. This publicity should play an important role in inducing interest and directing public attention to the overall aims of National Radio Week, Nov. 4-10.

NAB PROGRAM MANAGERS CONFER WITH TREASURY ON EIGHTH WAR LOAN

The NAB Program Managers Executive Committee and Program Chairmen from NAB Districts throughout the United States are meeting in Washington October 11-12 to confer with Treasury Department officials on the conduct of the Victory Loan drive.

Under the Chairmanship of Henry W. Slavick, Director, WMC, the program men will hear the Treasury presentation and contribute suggestions for the most effective promotion of the forthcoming Victory Loan, which must be conducted in the transition period from war to peace.

Luncheon at the Treasury Department with Secretary Vinson on October 12 is tentatively scheduled.

Program committee personnel this year is as follows:

Executive Committee

Henry W. Slavick, WMC; Eugene Carr, WHBC; Howard R. Chamberlain, WLW; Harold Fair, WHO; Ralph W. Hardy, KSL; Elliott Stewart, WIBX; Clarence L. Menser, NBC, and Douglas Coulter, CBS.

District Chairmen

District 1, W. Gordon Swan, WBZ; District 2, John H. McNeil, WJZ; District 4, Jack Weldon, WDBJ; District 5, Wilton E. Cobb, WMAZ; District 7, Robert Evans, WSPD; District 8, Dr. Willis F. Dunbar, WKZO; District 9, Maurice P. Owens, WROK; District 10, Eugene T. Flaherty, KSCJ; District 11, Richard Day, WDGY; District 13, Pete Teddlie, WRR; District 14, Ralph Hardy, KSL; District 15, Glen Shaw, KLX; District 16, Don McNamara, KFI, and District 17, Ted Cooke, KOIN.

District Program Chairmen for Districts 3, 6 and 12 are expected to be appointed in time to attend the meeting.

J. Harold Ryan, until recently NAB President, now member of the Board of Directors, will meet with the Program Managers Committee as Liaison Member for the NAB Board.

RYAN HEADS WAR FUND RADIO COMMITTEE

The network and local stations committee of the National War Fund Radio Campaign consists of twenty-one members headed by J. Harold Ryan, executive vice president of the Fort Industry Company and former NAB President.

Those serving with Chairman Ryan are:

Arthur B. Church, KMBC, Kansas City; Gardner Cowles, KRNT, Des Moines; Mark Ethridge, WHAS, Louisville; Walter Evans, Westinghouse Radio Stations, Philadelphia; Leo J. Fitzpatrick, WJR, Detroit; Harold Hough, WBAP, Fort Worth; Leonard Kapner, Hearst Radio, Inc., New York; Paul W. Kesten, Columbia Broadcasting System, New York; Frank King, WMBR, Jacksonville; Edgar Kobak, Mutual Broadcasting System, New York; Clair R. McCollough, WGAL, Lancaster; Paul W. Morency, WTIC, Hartford; Arden X. Pangborn, KGW, Portland; Herbert L. Pettey, WHN, New York; J. Leonard Reinsch, WSB, Atlanta; Ivor Sharp, KSL, Salt Lake City; Niles Trammell, National Broadcasting Company, New York; Lewis Allen Weiss, KHJ, Los Angeles; Colonel Harry C. Wilder, WSYR, Syracuse, and Mark Woods, American Broadcasting Company, New York.

In his letter to committee members Mr. Ryan said in part:

"Our industry has been officially identified through the radio campaigns of 1941, and 1942, and the succeeding National War Fund campaigns through which USO and other war related agencies were merged. All of these campaigns have exceeded their goals and radio has played a most important role in their successes. Our people have cooperated unstintingly."

WAS YOUR TRUMAN PHOTO DAMAGED IN MAILS?

Several letters have come in to NAB requesting duplicate mailings on the picture of President Truman with his statement: RADIO . . . "must be maintained as free as the press," which was sent out recently to all broadcasters with the compliments of NAB. It is reported in these letters that some of the pictures were damaged in the mails. If your copy suffered such damage, you are urged to communicate with NAB News Bureau, so

(Continued on next page)

that we may furnish you with an undamaged one for framing.

A new impression will be made for this purpose, and the new copies will be sent as soon as they are off the press.

OPPOSES FM BAN

Of interest to broadcasters is an article in the August issue of the *Advertiser*, under the heading: *Broadcasters Arguments Against FM Ban Are Valid.* The article follows:

"It seems to us that only the most socialistic minded could find fault with American broadcasters for presenting to the Federal Communications Commission arguments against any proposed rules to keep holders of AM licenses from entering the FM field.

"The AM broadcasters represent 25 years of radio experience and experimentation. They are the men and women who, ofttimes despite federal interference and obstruction, have brought the American kind of radio (the best in the world) to its present high estate. Many of them have made large investments in frequency modulation broadcasting.

"Granting that radio and the press are different in many respects, it still would be just as silly to say that one man or one company could not own both an AM and an FM station in the same service area as it would be to forbid a publisher to issue both a newspaper and a magazine in the same city or state."

STRIKEBOUND STATION ASSISTED

An item in the Oct. 1 issue of *Public Relations News*, says: "Splendid spirit of cooperation in the public interest was displayed during elevator operators' strike in New York when station WOR obtained studio facilities of some competing stations that were not affected by strike."

CONTINUANCE DENIED WGTR

The Federal Communications Commission released the following letter denying request of Station WGTR, Paxton, Mass., for 30-day extension of time within which to object to FM assignment:

"Dear Sir:

"Receipt is acknowledged of your letter of September 25, 1945, requesting a 30-day postponement of the time to file objection to the FM assignment which the Commission has made for Station WGTR.

"Your letter does not set forth any reason why it was not possible for you to file objections by September 25. It appears from your letter that you desire a continuance because the Commission's action on the applications of Yankee Network, or its subsidiaries, for FM stations in Boston, Providence, Worcester and Hartford may make it desirable—as stated in your letter—'for the Commission to consider additional facts that applicant can submit bearing upon the public interest in the modification that should be made in the assignment of WGTR.'

"The Commission is of the opinion that if, as a result of action by the Commission with respect to particular Yankee Network FM applications, you desire to call additional facts to the Commission's attention concerning the assignment to WGTR, this may be done by the filing of an appropriate application at that time. Hence, no postponement is necessary and your request for postponement is accordingly denied.

By direction of the Commission,

T. J. Slowie,
Secretary."

MORE "HOMETOWN MUSIC" SHOWS

Stations producing "Music from Your Hometown" recordings, for broadcast to overseas military personnel, are maintaining a nice flow of material to Armed Forces Radio Service. New shipments are as follows:

WWJ—Detroit

Don DeGroot, program manager, has shipped two more programs—Sherman Hayes and his orchestra from the Palm Beach Cafe. Don Pablo's orchestra is coming up.

KGO—San Francisco

Robert H. Wesson, program manager, forwarded, September 27, the station's first "Music from Your Hometown" recordings.

RADIO NEWS RECOMMENDATIONS ENCLOSED

Enclosed with this issue of NAB Reports is a four page brochure of recommendations made by the NAB Radio News Committee, September 17. They were approved by the NAB Board of Directors, October 1-2.

W. VA. NET HONORS PRESS

Charleston, W. Va., Oct. 2: In cooperation with the newspapers of West Virginia and in appreciation of America's Free Press, the West Virginia Network, through its key station WCHS, broadcast a special 25-minute program, Sunday, September 30th.

The program, in observance of National Newspaper Week, consisted of short talks by State newspapermen broadcasting from WPAR, Parkersburg; WBLK, Clarksburg; WSAZ, Huntington; and WCHS, Charleston. The newspapermen included Garland P. Baker, promotion manager of the Charleston Daily Mail; Frank A. Knight, promotion manager of the Charleston Gazette; Raymond Brewster, editor of the Huntington Herald-Dispatch; Everett H. Gieske, editor of the Parkersburg Morning News; and H. G. Rhawn, editor of the Clarksburg News.

TO COVER LOCAL NEWS FOR KPRO

New local news reporter for KPRO, Riverside, Cal., is Margaret Sharpe. Formerly Miss Sharpe was feature writer on the Boston Tribune.

WFIL SOLD TO INQUIRER

WFIL, Philadelphia, has been purchased, subject to FCC approval, by Walter H. Annenberg, publisher of the Philadelphia Inquirer. The purchase was made from WFIL Broadcasting Company, a wholly owned subsidiary of Lit Brothers, for $1,900,000, and includes all equipment and broadcasting facilities of WFIL and WFIL-FM, but does not include the Widener building, purchased earlier by WFIL Broadcasting Company, nor other securities owned by the company. Studios and offices will remain in the building, and Roger W. Clipp, President of WFIL, will continue in charge.

957 STANDARD BROADCAST STATIONS

During the months of July and August 1945, the FCC licensed three stations to operate and issued two new construction permits. A comparative table of the number of standard broadcast stations by months, follows:

	1944				1945								
	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1
Operating	912	914	916	919	919	921	923	924	925	928	931	933	934
Construction	16	15	15	18	24	24	22	21	23	23	24	24	23
	928	929	931	937	943	945	945	945	948	951	955	957	957

53 COMMERCIAL FM STATIONS

	Sept. 1, 1945
Operating	46
Construction	7
	53

9 COMMERCIAL TELEVISION STATIONS

	Sept. 1, 1945
Operating	6
Construction	3
	9

TELEVISION ASSIGNMENTS CORRECTED

In connection with the hearing on the rules and regulations for commercial television scheduled for October 11, 1945, the tentative assignment of channels which was originally put out by the Commission has been found to contain some typographical errors. A corrected list has been issued and is attached. In addition, it has been possible in some instances to assign more channels than was done in the original table and these assignments have been incorporated in the following table. This will supersede that printed on page 422 of NAB REPORTS.

Table Showing Allocation of Television Channels to Metropolitan Districts in the United States

(NOTE: This table applies only to the 13 television channels available for commercial television. In addition, applications may be filed for experimental television stations between 480 and 920 megacycles.)

Metropolitan District (U. S. Census 1940)	*Sales Rank*	*Population*	*Channel Nos. (Metropolitan)*	*Total Stations*	
				Metropolitan	*Community*
Akron	35	349,705	5	1	1
Albany, Schenectady Troy	23	431,575	2, 4, 7, 9, 11	5	–
Allentown, Bethlehem, Easton	43	325,142		0	1
Altoona	111	114,094	9	1	1
Amarillo	136	53,463	2, 4, 5, 7	4	–
Asheville	132	76,324	5, 7	2	–
Atlanta	25	442,294	2, 5, 8, 11	4	–
Atlantic City	83	100,096		0	1
Augusta, Ga.	135	87,809	6	1	1
Austin	106	106,193	8, 10	2	–
Baltimore	13	1,046,692	2, 4, 7	3	0
Beaumont, Port Arthur	90	138,608	3, 6, 8, 10	4	–
Binghamton	75	145,156	2	1	1
Birmingham	42	407,851	4, 9	2	–
Boston	5	2,350,514	2, 4, 7	3	0
Bridgeport, Conn.	53	216,621		0	1
Buffalo, Niagara	14	857,719	4, 7, 9	3	–
Canton, Ohio	63	200,352		0	1
Cedar Rapids	115	73,219	7, 11	2	–
Charleston, S. C.	127	98,711	7, 10	2	–
Charleston, W. Va.	88	136,332	2, 7, 11	3	–
Charlotte	99	112,986	3, 9, 11	3	–
Chattanooga	76	193,215	3, 6, 10	3	–
Chicago	2	4,499,126	2, 4, 5, 7, 9	5	0
Cincinnati	16	789,309	2, 4, 7	3	–
Cleveland	9	1,214,943	4, 7, 9	3	–
Columbia	117	89,555	2, 4, 8	3	–
Columbus, Ga.	133	92,478	3	1	1
Columbus, Ohio	29	365,796	3, 6, 8	3	–
Corpus Christi	121	70,677	3, 6, 8, 10	4	–
Dallas	27	376,548	4, 8	2	–
Davenport, Rock Island, Moline	67	174,995	2, 4, 5, 9	4	–
Dayton	44	271,513	5, 11	2	–
Decatur	122	65,764	2	1	1
Denver	26	384,372	2, 4, 5, 7, 9	5	–
Des Moines	59	183,973	2, 4, 5, 9	4	–
Detroit	6	2,295,867	3, , 8, 10	3	–
Duluth, Superior	72	157,098	3, 6, 8, 10	4	–
Durham	139	69,683	4, 7	2	–
El Paso	105	115,801	2, 4, 5, 7	4	–
Erie	95	134,039	2	1	1
Evansville, Ind.	93	141,614	2, 11	2	–
Fall River, New Bedford	55	272,648		0	1
Flint	64	188,554		0	1
Fort Wayne	81	134,385	2, 4, 7, 9	4	–
Fort Worth	51	207,677	2, 5, 10	3	–
Fresno	79	97,504	2, 4, 5, 7	4	–
Galveston	131	71,677	, 9, 11	2	–
Grand Rapids	57	209,873	5, 7	2	–
Greensboro	130	73,055	2, 10	2	–
Hamilton, Middletown	110	112,686		0	–
Harrisburg	70	173,367	5	1	0
Hartford, New Britain	20	502,193	8, 10	2	0
Houston	21	510,397	2, 4, 5, 7	4	–
Huntington, W. Va., Ashland, Ky.	92	170,979	9	1	1
Indianapolis	24	455,357	3, 8, 10	3	–
Jackson	128	88,003	2, 4, 5, 7	4	–
Jacksonville	66	195,619	2, 4, 6, 8	4	–
Johnstown, Pa.	100	151,781		0	1
Kalamazoo	112	77,213	3	1	1
Kansas City, Mo., Kansas City, Kans.	17	634,093	2, 4, 5, 9	4	–
Knoxville	87	151,829	2, 4, 8, 11	4	–
Lancaster	91	132,027		0	0*
Lansing	94	110,356	11	1	1
Lincoln	109	88,191	10	1	–
Little Rock	98	126,724	3, 6, 8, 10	4	–
Los Angeles	3	2,904,596	2, 4, 5, 7, 9, 11	6	–
Louisville	33	434,408	5, 9	2	–
Lowell, Lawrence, Haverhill	45	334,969		0	1
Macon	137	74,830	4, 7, 10	3	–
Madison	101	78,349	6	1	1
Manchester	118	81,932		0	1
Memphis	37	332,477	2, 4, 5, 7, 9	5	–
Miami	38	250,537	2, 4, 5, 7	4	–
Milwaukee	15	790,336	3, 8, 10	3	–
Minneapolis, St. Paul	11	911,077	2, 4, 5, 7, 9	5	–
Mobile	119	144,906	3, 5, 9, 11	4	–
Montgomery	126	93,697	6, 10	2	–
Nashville	56	241,769	4, 5, 7, 9	4	–
New Haven	39	308,228	5	1	0
New Orleans	31	540,030	2, 4, 6, 7, 10	5	–
New York, Northeastern New Jersey	1	11,690,520	2, 4, 7, 9	4	0
Norfolk, Portsmouth, Newport News	47	330,396	4, 7, 11	3	–
Oklahoma City	52	221,229	2, 4, 5, 9	4	–
Omaha, Council Bluffs	40	287,269	3, 6, 7	3	–
Peoria	69	162,566	3, 6	2	–
Philadelphia	4	2,898,644	3, 8, 10	3	0
Phoenix	84	121,828	2, 4, 5, 7	4	–
Pittsburgh	8	1,994,060	3, 6, 8	3	–
Portland, Maine	89	106,566	3, 6, 8	3	–
Portland, Oreg.	22	406,406	3, 6, 8, 10	4	–
Providence, R. I.	18	711,500	9	1	1
Pueblo	140	62,039	3, 6, 8, 10	4	–
Racine, Kenosha	97	135,075		0	1
Reading	73	175,355		0	1
Richmond	48	245,674	3, , 8, 10	3	–
Roanoke	104	110,593	5, 9	2	–
Rochester	28	411,970	2, 6, 11	3	–
Rockford	102	105,259	11	1	1
Sacramento	54	158,999	3, 6, 8, 10	4	–
Saginaw, Bay City	77	153,388	2, 9,	2	–
St. Joseph	129	86,991	11	1	1
St. Louis	10	1,367,977	4, 5, 7, 9	4	–
Salt Lake City	58	204,488	2, 4, 5, 7, 9	5	–
San Antonio	50	319,010	2, 4, 5, 7, 9	5	–
San Diego	49	256,268	3, 6, 8, 10	4	–
San Francisco, Oakland	7	1,428,525	2, 4, 5, 7, 9, 11	6	–
San Jose	78	129,367		0	1
Savannah	114	117,970	3, 5, 9, 11	4	–
Scranton, Wilkes-Barre	30	629,581	11	1	1
Seattle	19	452,639	2, 5, 7, 11	4	–
Shreveport	96	112,225	2, 4, 6, 8	4	–
Sioux City	107	87,791	4, 9, 11	3	–
South Bend	80	147,022	8	1	1
Spokane	71	141,370	2, 4, 5, 7, 9	5	–
Springfield, Ill.	103	89,484	8, 10	2	–
Springfield, Mass., Holyoke	32	394,623	1	1	0

– One community station may also be available in this city if a showing is made that such assignment would not make impossible the assignment of a station to another city which has a reasonable probability of a station being located there.

* Assigning a station to Lancaster would require deletion of a station from either Reading, York, Easton, Pa., or Wilmington, Del. Moreover, such a station in Lancaster would be severely limited by interference.

(Continued on next page)

Table Showing Allocation of Television Channels to Metropolitan Districts in the United States—*Continued*

Metropolitan District (U. S. Census 1940)	*Sales Rank*	*Population*	*Channel Nos. (Metropolitan)*	*Total Stations*	
				Metropolitan	*Community*
Springfield, Mo.	134	70,514	2, 4, 5, 9	4	–
Springfield, Ohio	125	77,406		0	1
Stockton	108	79,337		0	1
Syracuse	46	258,352	8, 10	2	–
Tacoma	74	156,018	4, 9	2	–
Tampa, St. Petersburg	61	209,693	2, 4, 5, 7	4	–
Terre Haute	116	83,370	6	1	1
Toledo	34	341,663	6	1	1
Topeka	123	77,749	7	1	1
Trenton	60	200,128	6	1	0
Tulsa	65	188,562	3, 6, 8, 10	4	–
Utica, Rome	68	197,128	6	1	1
Waco	138	71,114	3, 6, 9, 11	4	–
Washington	12	907,816	6, 9, 11	3	–
Waterbury	85	144,822		0	1
Waterloo	120	67,050	3, 6	2	–
Wheeling	82	196,340		0	1
Wichita	86	127,308	2, 4, 5, 9	4	–
Wilmington	62	188,974		0	1
Winston-Salem	124	109,833	6, 8	2	–
Worcester	41	306,194	6	1	0
York	113	92,627		0	1
Youngstown	36	372,428	11	1	1

– One community station may also be available in this city if a showing is made that such assignment would not make impossible the assignment of a station to another city which has a reasonable probability of a station being located there.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 8. They are subject to change.

Tuesday, October 9

WSRR—Stephen R. Rintoul (Assignor), The Western Connecticut Broadcasting Company ((Assignee), Stamford, Conn.—Voluntary assignment of license of radio station WSRR; **1400 kc.,** 250 watts, unlimited.

Thursday, October 11

To Be Held Before the Commission En Banc at the Auditorium of the National Museum, 10th Street and Constitution Avenue, N. W.

In the Matter of Promulgation of Rules and Regulations and Standards of Good Engineering Practice for Commercial Television Broadcast Stations.

Federal Communications Commission Action

APPLICATIONS GRANTED

KFOX—Nichols & Wariner, Inc., Long Beach, Cal.—Granted construction permit to install a new transmitter.

KSLM—Oregon Radio, Inc., Salem, Oregon.—Granted construction permit to install a new transmitter.

WINS—Hearst Radio, Inc., New York City.—Granted modification of construction permit (B1-P-3026) which authorized increase in power, installation of new transmitter, and changes in directional antenna for day and night use, for change in type of transmitter and extension of completion date from 11-3-45 to 60 days after grant. The permit is granted subject to such condition as the Chief Engineer shall deem necessary to determine that the directional antenna pattern is obtained and maintained, and subject further to the express condition that the permittee herein shall satisfy legitimate complaints of blanketing within the 250 mv/m contour, including external cross modulation.

WPIK—Potomac Broadcasting Co., Alexandria, Va.—Granted modification of construction permit which authorized a new station, for changes in transmitting equipment, approval of antenna, and approval of transmitter site at Telegraph Road, approximately 1.5 miles southwest of center of Alexandria, Va. The permittee hereunder is granted a waiver of Sec. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that, upon commencement of operation, frequency checks by an external standard will be submitted to the Commission daily until satisfactory operation is indicated, and weekly thereafter until a frequency monitor is installed which meets the approval of the Commission's Chief Engineer; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available.

WMFR—Radio Station WMFR, High Point, N. C.—Granted construction permit to move transmitter and studios to 164 So. Main St., High Point, N. C.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Granted license to cover construction permit which authorized change in frequency to **1240 kc.;** also granted authority to determine operating power by direct measurement of antenna power.

Calumet Broadcasting Corp., Hammond, Ind.—Granted motion for extension of time within which to file exceptions to Proposed Findings of Fact and Conclusions of the Commission, and extended the time to file such exceptions to November 1, 1945.

W4XAG—Georgia School of Technology, Atlanta, Ga.—Granted license to cover construction permit authorizing a new developmental broadcast station; frequency to be assigned by Commission's Chief Engineer from time to time; 1 KW power; to operate in accordance with Secs. 4.51 to 4.157 incl., and to conduct such other related experimental operation as the Commission may require through its engineering department particularly with respect to determination of receiver characteristics related to the proposed operation and the coordination of experimentation with other stations and experimental operations in the field. The license is granted upon an experimental basis only; conditions.

W2XEM—Allen B. DuMont Labs., Inc., area of New York, N. Y.—Granted license to cover construction permit for new experimental television station, upon an experimental basis only; conditions. Frequencies to be assigned by the Commission's Chief Engineer from time to time; power 1 KW aural; 1 KW (peak) visual.

WKIX—Inter-City Advertising Co., Columbia, S. C.—Granted license to cover construction permit, which authorized a new station, and change studio location from 1732 Main St. Columbia, to Jerome Hotel, Main at Lady, Columbia, S. C. Also granted authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) That frequency checks by an external standard will be submitted to the Commission weekly; and (c) That approved frequency and modulation monitors will be installed as soon as such equipment becomes available.

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted license to cover construction permit which authorized increase in power, installation of DA for night use, and move of transmitter. Also granted authority to determine operating power by direct measurement of antenna power.

KWRD—City of Dallas, Texas, area of Dallas, Texas.—Granted license to cover construction permit covering new relay

(Continued on next page)

station to be used with station WRR, Dallas; frequencies of **33.38, 35.02, 37.62, 39.82 mc.,** 2 watts.

Utah Broadcasting and Television Co., area of Salt Lake City, Utah.—Granted construction permit for new relay broadcast station to be used with standard station KUTA; frequencies of **1622, 2058, 2180, 2790 kc.,** 250 watts.

W3XL—Everett L. Dillard, tr/as Commercial Radio Eqpt. Co., Washington, D. C.—Granted modification of construction permit which authorized a new developmental broadcast station, for extension of completion date to 12-15-45.

W3XLA—Everett L. Dillard, tr/as Commercial Radio Eqpt. Co., area of Washington, D. C.—Granted modification of construction permit authorizing a new satellite developmental broadcast station, for extension of completion date to 3-15-46.

LICENSE RENEWALS

WCBI—Birney Imes, Jr., Columbus, Miss.—Granted renewal of license for the period ending February 1, 1947.

WTAL—Capital City Broadcasting Corp., Tallahassee, Fla.—Granted renewal of license for the period ending February 1, 1947.

DESIGNATED FOR HEARING

WSM—The National Life and Accident Ins. Co. (Assignor), WSM, Inc. (Assignee), Nashville, Tenn.—Designated for hearing application for consent to voluntary assignment of license of station WSM and associated relay stations, and WSM-FM from the National Life and Accident Insurance Co. to WSM, Inc. (B3-AL-476, etc.)

MISCELLANEOUS

KSAL—R. J. Laubengayer (Transferor), The Hutchinson Publishing Co. (Transferee), KSAL, Inc. (Licensee), Salina, Kans.—Granted consent to relinquishment of control by R. J. Laubengayer of KSAL, Inc., licensee of station KSAL, through the acquisition of 150 shares (37.5%) of stock by Hutchinson Publishing Co., for a consideration of $130,000. (B4-TC-456)

WTBO—Associated Broadcasting Corp. (Assignor), Aurelia S. Becker & Charles Z. Heskett, d/b as Cumberland Broadcasting Co. (Assignee), Cumberland, Md.—Granted consent to voluntary assignment of license and construction permit of station WTBO from Associated Broadcasting Corp. to Aurelia S. Becker and Chas. Z. Heskett, d/b as Cumberland Broadcasting Co. No actual monetary consideration involved. (B1-APL-20)

WJLD—George Johnston (Assignor), Johnston Broadcasting Co., (Geo. Johnston & Geo. Johnston, Jr., Partners), (Assignee), Bessemer, Ala.—Granted consent to voluntary assignment of license of station WJLD from George Johnston to Johnston Broadcasting Co., (George Johnston and George Johnston, Jr., Partners). Geo. Johnston, Jr., proposes to pay George Johnston, assignor and licensee, $63,600 for his 60% interest in assignee partnership, which is 60% of the cost ($106,000) of the station to assignor when he acquired it in 1944. (B3-AL-495)

Blanfox Radio Company, Inc., Norton, Va.—Adopted memorandum opinion and order granting construction permit for a new station to operate on **1450 kc.,** 250 watts power, unlimited time; conditions. (B2-P-3884)

Kenneth Edward Rennekamp, Oil City, Pa.—Adopted memorandum opinion and order granting construction permit for a new station to operate on **1340 kc.,** 250 watts, unlimited time, except hours assigned to WSAJ; conditions. (B2-P-3723)

WTNT—WWSW, Inc., Pittsburgh, Pa.—Granted request to change call letters of FM Broadcast station from WTNT to WMOT.

North Jersey Broadcasting Co., Inc., Clifton, N. J.—Granted construction permit for new experimental television broadcast station; frequencies to be assigned by Commission's Chief Engineer; power: 1 KW peak visual, 1 KW peak aural; A3, A5, special, special for frequency modulation.

KTKC—Tulare-Kings Counties Radio Associates, Visalia, Cal.—Advised applicant with respect to form of identifying announcements to be used in connection with the *Country Commentator* program being broadcast over Station KTKC, that the following form represents a sufficient compliance with the requirements of Sec. 3.409 of the Commission's rules and Sec. 317 of the Communications Act: "Robert Franklin and Associates Public Relations Service and certain firms and individuals whose identities are available for public inspection at the offices of this station, now present the *Country Commentator.*"

APPLICATIONS FILED AT FCC

550 Kilocycles

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Montana Broadcasting and Television Co., Anaconda, Mont. (P.O. 29 So. State St., Salt Lake City, Utah).—Construction permit for a new standard broadcast station to be operated on **550 kc.,** power of 1 KW, using directional antenna at night, and unlimited hours of operation.

570 Kilocycles

NEW—G. W. Covington, Jr., Gadsden, Alabama (P.O. 102 Montgomery Street, Montgomery, Ala.).—Construction permit for a new standard broadcast station to be operated on **570 kc.,** power of 1 KW and daytime hours of operation.

750 Kilocycles

WHEB—WHEB, Inc., Portsmouth, N. H.—Special service authorization to operate with power of 500 watts from local sunset to 6:30 p.m., Eastern Standard Time, during the months of October, November and December, 1945 and January and February, 1946, in order to continue present operating schedule.

780 Kilocycles

WJAG—The Norfolk Daily News, Norfolk, Nebr.—Construction permit to install a new transmitter, vertical antenna and ground system and change transmitter location.

790 Kilocycles

KFQD—Wm. J. Wagner tr/as Alaska Broadcasting Co., Anchorage, Alaska—Voluntary assignment of license to Midnight Sun Broadcasting Co.

820 Kilocycles

WAIT—Gene T. Dyer, Evelyn M. Dyer, Gene T. Dyer, Jr., Adele Moulds, Louis E. Moulds, and Grace V. McNeill d/b as Radio Station WAIT, Chicago, Illinois.—Special service authorization to commence operation not later than 7 a.m., Central Standard Time, during those months in which local sunrise occurs later than 7 a.m., Central Standard Time, and to cease operation not later than 6 p.m., Central Standard Time, during those months in which sunset at Dallas, Texas, is earlier than 6 p.m., Central Standard Time, for a period not to exceed 6 months.

970 Kilocycles

NEW—Greater Muskegon Broadcasters, Inc., Muskegon, Mich. (P.O. 215 Lyman Bldg.).—Construction permit for a new standard broadcast station to be operated on **980 kc.,** power of 1 KW and daytime hours of operation.

990 Kilocycles

NEW—Darrold Alexander Cannan, tr/as Wichtex Broadcasting Co., Wichita Falls, Tex. (P.O. 2017 Clarinda Street).—Construction permit for a new standard broadcast station to be operated on **990 kc.,** power of 1 KW and daytime hours of operation.

1010 Kilocycles

NEW—Warren, Davis, Yeager & Ford, Inc., Bloomington, Ind. (P.O. L. C. J. Yeager, 820 Kentucky Home Life Bldg., Louisville, Ky.).—Construction permit for a new standard broadcast station to be operated on **1010 kc.,** power of 1 KW and daytime hours of operation.

1020 Kilocycles

NEW—KAW Broadcasting Inc., Topeka, Kans. (P. O. 125 Kansas Ave.).—Construction permit for a new standard broadcast station to be operated on **1020 kc.,** power of 1 KW and daytime hours of operation.

(Continued on next page)

1030 Kilocycles

NEW—Fred Jones and Mary Eddy Jones, d/b as Fred Jones Broadcasting Co., Tulsa, Okla. (P.O. 1201 S. Boston St.).—Construction permit for a new standard broadcast station to be operated on **1030 kc.**, power of 50 KW, using directional antenna at night, and unlimited hours of operation.

1150 Kilocycles

WCOP—Massachusetts Broadcasting Corp., Boston, Massachusetts.—Construction permit to increase power from 500 watts night and 1 KW day to 5 KW day and night, make changes in transmitting equipment, install new directional antenna for day and night use, and change transmitter location from Boston, Massachusetts to Lexington, Massachusetts.

1200 Kilocycles

WEMP—Glenn D. Roberts, Melva F. Roberts, Wellwood Nesbit, Robert M. LaFollette, Jr., Evalyn H. Dolph, Hope D. Pettey, Rachel Young LaFollette, Genevieve S. Nesbit, John Ernest Roe and W. Wade Boardman, co-partners, d/b as Milwaukee Broadcasting Co., Milwaukee, Wis.—Construction permit to change frequency from **1340 kc.** to **1200 kc.**, increase power from 250 watts to 10 KW, install new transmitter and directional antenna for day and night use and change transmitter location from Milwaukee, Wisconsin, to New Berlin, Wisconsin.

1240 Kilocycles

NEW—Central Washington Broadcasters, Inc.. Ellensburg, Washington (P.O. Washington National Bank Building).—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Star Broadcasting Co., Inc., Geneva, New York (P.O. Box 228).—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

1260 Kilocycles

WOL—Cowles Broadcasting Co., Washington, D. C.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and new directional antenna for day and night use, and change transmitter location from near Chillum, Maryland to Wheaton, Maryland.

1320 Kilocycles

KGKY—L. L. Hilliard, Ruth K. Hilliard and R. M. Stewart, d/b as Hilliard Co., Scottsbluff, Neb.—Construction permit to change frequency from **1490 kc.** to **1320 kc.**, increase power from 250 watts to 1 KW, make changes in transmitting equipment, install directional antenna for night use, and change transmitter location from out of city limits, Scottsbluff, Nebraska, to 1½ miles west of city limits, Scottsbluff, Nebraska.

1340 Kilocycles

NEW—Frank D. Peterson, Theodore Hardwick, Robert M. Odear, Ira Porter, Wood Hannah and Thomas Graham, d/b as Peterson & Company, Lexington, Kentucky (P.O. 504 Security Trust Co. Bldg.).—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

NEW—G. W. Covington, Jr., Selma, Alabama (P.O. 102 Montgomery Street, Montgomery, Ala.).—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

1380 Kilocycles

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Construction permit to change frequency from **1400 kc.** to **1380 kc.**, increase power from 250 watts to 1 KW and install new transmitter and directional antenna for night use.

WATL—J. W. Woodruff, tr/as Atlanta Broadcasting Co., Atlanta, Ga.—Construction permit to change frequency from **1400 kc.** to **1380 kc.**, increase power from 250 watts to 5 KW, install new transmitter and directional antenna for night use and change transmitter location.

1400 Kilocycles

NEW—E. Thomas O'Brien, Mildred O'Brien Chalberg, John Chalberg, Mabel O'Brien Smith and William Graham, d/b as Brainerd Broadcasting Co., Brainerd, Minn. (P.O. 307 South 8th St.).—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation.

1410 Kilocycles

KQV—Alleghany Broadcasting Corp., Pittsburgh, Pennsylvania.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and new directional antenna for day and night use, and change transmitter location from Pittsburgh, Pennsylvania to Ross Township, Pennsylvania.

1420 Kilocycles

WRBL—J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co., Columbus, Ga.—Construction permit for change in frequency from **1230 kc.** to **1420 kc.**, increase in power from 250 watts to 5 KW, installation of new transmitter and directional antenna for night use and change transmitter location.

1440 Kilocycles

KEYS—Earl C. Dunn, Charles W. Rossi, H. B. Lockhart and E. C. Hughes, d/b as Nueces Broadcasting Co., Corpus Christi, Texas.—Construction permit to change frequency from **1490 kc.** to **1440 kc.**, increase power from 250 watts day and night to 1 KW night, 5 KW day, install new transmitter and directional antenna for night use, and change transmitter location.

1450 Kilocycles

WWDC—Capital Broadcasting Co., Washington, D. C.—Construction permit to increase power of synchronous amplifier from 100 watts to 250 watts, make changes in transmitting equipment.

NEW—Bay State Beacon, Inc., Brockton, Mass. (P.O. c/o Robert M. Fletcher, 106 Main Street).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

1490 Kilocycles

NEW—Chester E. Daly, Cleveland, Ohio (P.O. 136 Carmel Road, Buffalo 14, New York).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

1600 Kilocycles

NEW—WOOP, Inc., Dayton, Ohio (P.O. Kentucky Home Life Bldg., 5th and Jefferson Sts., Louisville, Ky.).—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 5 KW and unlimited hours of operation.

FM APPLICATION

NEW—Telegraph Herald, Dubuque, Iowa.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46.5 mc.**, with coverage of 8,060 square miles. Amended: to change frequency from **46.5 mc.** to **99.5 mc.**, coverage from 8,060 square miles to 24,316 square miles, transmitter location from east Dubuque, Illinois, to Dubuque, Iowa, population from 300,250 to 811,484, type of transmitter from G.E. GF-103D to G.E. GF-150-B and make changes in antenna system.

TELEVISION APPLICATION

NEW—Lancaster Television Corp., Lancaster, Penna. (P.O. 45 N. Duke St.).—Construction permit for a new commercial television broadcast station to be operated on Channel #2 **(54-60 mc.)** and ESR of 1400.

MISCELLANEOUS APPLICATIONS

NEW—Westinghouse Radio Stations, Inc., Portable-Mobile to be used within continental United States.—Construction permit for a new developmental broadcast station to be operated on **49.5, 107.5, 107.9, 505-525, 540-560, 900-920, 1975-2025 mc.**, power of 5 KW and A0, A1, A2, A3, A4, A5, special and special for FM emission.

NEW—B2-PEX-83; Westinghouse Radio Stations, Inc., Portable-Mobile to be used within continental United States.—Construction permit for a new developmental broadcast station to be operated on **49.5, 107.5, 107.9, 505-525, 540-560, 900-920, 1975-2025 mc.**, power of 5 KW and A0, A1, A2, A3, A4, A5, special and special for FM emission.

NEW—B2-PEX-84; Westinghouse Radio Stations, Inc., Portable-Mobile to be used within continental United States.—Construction permit for a new developmental broadcast station to be operated on **49.5, 107.5, 107.9, 505-525, 540-560, 900-920, 1975-2025 mc.**, power of 5 KW and A0, A1, A2, A3, A4, A5, special and special for FM emission.

NEW—B2-PEX-85; Westinghouse Radio Stations, Inc., Portable-Mobile to be used within continental United States.—Construction permit for a new developmental broadcast station to be operated on **49.5, 107.5, 107.9, 505-525, 540-560, 900-920, 1975-2025 mc.**, power of 5 KW and A0, A1, A2, A3, A4, A5, special and special for FM emission.

NEW—B2-PEX-86; Westinghouse Radio Stations, Inc., Portable-Mobile to be used within continental United States.—Construction permit for a new developmental broadcast station to be operated on **49.5, 107.5, 107.9, 505-525, 540-560, 900-920, 1975-2025 mc.**, power of 5 KW and A0, A1, A2, A3, A4, A5, special and special for FM emission.

W8XAL—The Crosley Corp., Cincinnati, Ohio.—Extension of special temporary experimental authorization to operate a 1 KW transmitter on **6080 kc.**, A0 and A1 emission for identification purposes only, to be used with all international broadcast stations licensed to The Crosley Corp. for the period ending 11-1-46.

KYUM—Yuma Broadcasting Company, Yuma, Arizona.—Acquisition of control of licensee corporation by KTAR Broadcasting Company through purchase of 12,350 shares common stock (49.4% outstanding) from John J. Louis.

WEQR—Eastern Carolina Broadcasting, Inc., area of Goldsboro, N. C.—License to cover construction permit (B3-PRE-448) which authorized a new relay broadcast station.

W5XIC—A. H. Belo Corporation, area of Dallas, Texas.—License to cover construction permit (B3-PEX-68) which authorized a new developmental broadcast station.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Encyclopaedia Britannica, Inc., 20 North Wacker Drive, Chicago, selling and distributing books, including encyclopedia sets called "Britannica Junior", is charged in a complaint with misrepresentation. (5384)

Lakeland Highlands Canning Company, Inc., and Carroll E. Lindsey and Gordon T. Rou, president and secretary, respectively, of the corporation, Highland City, Florida, buying and selling and distributing fruit juices and fruit products, are charged in a complaint with violating the provisions of the brokerage section of the Clayton Act, as amended by the Robinson-Patman Act. (5383)

Montgomery Ward & Co., Inc., Chicago, is charged in a comcomplaint issued with misrepresenting the number of tubes contained in radio receiving sets it sells and the capacity of the sets for television. (5385)

STIPULATION

During the past week the Commission has announced the following stipulation:

Holland-American Gelatine Co.—A stipulation to discontinue certain representations in connection with the sale of gelatine has been entered into by James F. Drew, trading as Holland-American Gelatine Co., 353 Jay Street, Brooklyn. (4105)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Frackman Diamond Corporation, and Morton Frackman, Joseph Frackman and Gilbert E. Horton, trading as Horton Fifth Avenue Jewelers, 545 Fifth Avenue, New York, conducting a retail and mail-order business in jewelry, have been ordered to cease and desist from misrepresentations concerning their merchandise. (4518)

Professor Valentine Greenewald, R. R. No. 1, Box 36, Covington, Ky., selling and distributing a medicinal preparation designated "Herbaline," formerly called "Nature Nervine," has been ordered to cease and desist from representing that the preparation constitutes a competent or effective treatment for, or has any significant therapeutic value in the treatment of, nervousness, neurasthenia, nervous debility, and certain other ailments, or that it forms blood, strengthens the nerves, builds the brain, invigorates the body or promotes health generally. (5114)

Lankenau Company, 1450 Broadway, New York, selling and distributing wool and rayon fabrics, have been ordered to cease and desist from using the word "manufacturers" or any other word or words of similar import to describe or refer to the business operated by them; or otherwise representing that they manufacture the product sold and distributed by them. (5328)

Market Drug, 5900 Market Street, Philadelphia, has been ordered to cease and desist from representing in connection with the sale or distribution of medicinal preparations consisting of Brown and White Tablets, now designated as "Pep-o-tabs," that use of the preparations by men will prevent them from feeling old, or restore ambition, or in any manner produce or assist in producing pep, vitality or a new feeling of manly vigor. (5236)

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NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 41, October 12, 1945

CELLER PROPOSES DRASTIC CONTROLS

In a bill introduced in the House of Representatives on Tuesday (9) Representative Emanuel Celler (D-N. Y.) would clothe the Federal Communications Commission with almost complete control over the everyday operation of broadcasting. The bill (H. R. 4314) which was referred to the Committee on Interstate and Foreign Commerce, headed by Clarence Lea (D-Calif.) follows in full:

A BILL

To amend the Communications Act of 1934, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Communications Act of 1934, as amended, shall be, and hereby is, amended as follows:

1. Amend section 307 (d) of the Communications Act of 1934, as amended, by adding at the end thereof the following:

> "Before filing any application for renewal of a broadcast station license, a licensee shall cause to be published at least three times, in a daily newspaper of general circulation published in the community in which such station is licensed, a display advertisement in such form as the Commission shall prescribe, setting forth his intention to file a renewal application, the date on which the existing license expires, and a statement in the form prescribed by the Commission that others seeking the same channel must file application before that date in order to receive competitive consideration, and that anyone desiring to oppose the renewal must file his reasons with the Commission in writing at least thirty days before such date."

2. Amend section 3 of the Communications Act of 1934, as amended, by adding at the end thereof a new subsection, as follows:

> "(bb) With respect to broadcast matters, 'public interest' includes the interest of all listeners within the service area of the broadcast station or stations concerned; and no finding of 'public interest' shall be made in any broadcast matter unless the Commission finds that excessive use of the station has not been made and will not be made for commercial advertising purposes."

3. Repeal subsection (c) of section 307 of the Communications Act of 1934, and insert in lieu thereof a new subsection (c), as follows:

> "(c) The Commission shall fix percentages of time (commonly known as sustaining time) to be allocated during each part of the broadcast day by each class of broadcast stations or by each broadcast station, without charge, for particular types or kinds of nonprofit radio programs or for particular types or kinds of nonprofit activities; and such percentages of sustaining time shall be set forth as conditions of operation in each broadcast station license."

4. Amend section 303 by adding at the end thereof a new subsection (s), as follows:

> "(s) Prescribe the form of any and all accounts, records, and memoranda to be kept by broadcast stations. Any and all financial reports filed with the Commission shall be open for public inspection."

5. Amend subsection (b) of section 310 of the Communications Act of 1934, as amended, by adding at the end thereof the following:

> "No transfer or assignment shall be approved in which the total consideration to be paid for broadcast property, tangible and intangible, exceeds the fair value of such property: *Provided,* That such fair value shall not exceed double the depreciated cost value of the tangible broadcast property transferred or assigned."

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

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MILLER STRESSES NEED FOR FREE RADIO IN EUROPE

Importance of keeping open the channels of information in Europe was stressed by NAB President Justin Miller in an address before the Radio Executives Club at a luncheon meeting in New York on October 4. The luncheon was given in honor of the group of broadcasters and industry trade-paper representatives who recently completed a tour of the European Theater of Operations.

"One of the most important postwar roles will be to keep the channels of radio open in Europe," declared Miller. "We must sell to the peoples of Europe the American way of life and the need of free enterprise. We *must* keep these channels open to avoid another war."

Miller was warm in his praise of the spirit of those who accompanied him on the trip, which was escorted by Col. Ed Kirby, chief of the radio division of the War Department, and former NAB Director of Public Relations. Kirby was chairman of the day at the luncheon.

Accomplishments of the American Forces network in Europe were also lauded by Miller. "Everywhere we went," he related, "were young efficient officers, products of excellent training in radio as civilians, directing the affairs of this network. Their task is to enlighten the peoples of Europe on the American system during the period of occupation."

"State owned radio abroad," Miller pointed out, "lacks, among other things, a vital requisite—the incentive that goes with competition, gained only through free enterprise."

Col. Kirby, in introducing the group who toured the ETO, commented upon the fine spirit of good fellowship that prevailed during the trip, adding that he hoped the lessons of war as learned by them would serve in moving broadcasting far forward in its leadership in the crusade for an enduring world peace.

Murray Grabhorn, president of the Radio Executives Club, introduced to the luncheon guests Edgar Kobak, MBS president, and chairman of the broadcasters committee which welcomed home the ETO group; he also introduced the other members of the committee, who were: Niles Trammel, president of NBC; Chester La Roche, vice-chairman of the board of the American Broadcasting Company, and Paul Kesten, executive vice-president of CBS.

WILLARD TO SPEAK

A. D. (Jess) Willard Jr., NAB executive vice-president, will address representatives of the industry who will meet with educators to discuss mutual problems at the ninth annual meeting of the School Broadcast Conference, to be held Oct. 22 and 23 at the Morrison Hotel in Chicago.

Delegates to the conference, headed this year by George Jennings, acting director of the radio council of the Chicago Board of Education, will come from all sections of the country. Highlighting the two-day program will be talks and demonstrations by authorities in the radio industry, and by representatives of the major networks.

One purpose of the 1945 Conference is to enable the industry and educators to investigate the postwar future of educational radio. Great advances are forecast in the field, but an acceleration of progress is anticipated through closer cooperation and understanding between the equipment manufacturers, networks, and school administrators.

Program highlights scheduled at the Conference include a demonstration of frequency modulation broadcasting presented by FM station WGNB, Chicago; demonstrations of the wire recorder, film recorder, new phonograph records, the latest in transcriptions and play-backs, and other new technological aids by representatives of industry; and various work study and discussion groups dealing with new problems in radio. The increasing interest in television as an educational medium is evidenced by the work study group on television conducted by E. Jerry Walker, educational director, television station WBKB, Chicago. This session will include a demonstration of news in television by Everett Holles, News editor, station WBBM, Chicago, formerly news analyst at CBS television, New York City.

In addition to Willard, principal speakers at the conference will be: Walter J. Damm, president of FMBI, who will conduct the panel discussion on FM broadcasting; Frank Ernest Hill, Columbia Broadcasting System, American School of the Air writer and discussion leader; and Charles Brewer, North American Director, BBC, who will address the Association for Education by Radio luncheon meeting October 22.

NATIONAL MARKETING FORUM

Announcing a plan to coordinate the forces of sales, advertising and distribution, the Advertising Federation of America has joined with the National Federation of Sales Executives and the Sales Executive Club of New York for the first National Marketing Forum, to be held in New York on six consecutive Mondays beginning Oct. 22, and lasting through Nov. 26.

Emphasizing that advertising can and must play an important part in the national economy during the critical postwar reconversion period. Elon G. Borton, president and general manager of AFA, announces that speakers of the highest caliber will address the meetings.

Among the featured speakers are: John W. Snyder, director of the Office of War Mobilization and Reconversion; John M. Hancock, co-author of the Baruch Report; Dr. John W. Studebaker, director of the U. S. Office of Education; Paul G. Hoffman, Chairman, Committee for Economic Development; Ira Mosher, president of NAM; Clarence Francis, trustee, CED; J. Penfield Seiberling, director, AFA; Stanley A. Holme, National Planning Association, and Herbert E. Smith, president of the U. S. Rubber Co.

PROGRAMMING FOR NATIONAL RADIO WEEK

Special Twenty-Fifth Anniversary Bulletin No. 21, with this issue of Reports, consists of portions of scripts which have been produced by stations during Radio's Twenty-Fifth Anniversary Year. Attention of program managers is directed to this Bulletin, which may provide ideas for local shows on your station.

NATIONAL RADIO WEEK POSTERS EN ROUTE

By early next week all stations and networks will have two posters each, 22 by 35 inches, featuring National Radio Week. Please make use of these posters in your studios or foyer or display cabinets. Augment them with displays prepared by our own promotion department.

VICTORY LOAN NEEDS YOUR KNOW-HOW

A bulletin on the Victory Loan was mailed by NAB to all stations, October 10.

"For the Victory Loan of 1945, to succeed," the bulletin stated, "it's going to take the conscientiously applied brain power and limitless energy of every station staff in this country. It's your 'know-how,' your own special knowledge of how to sell, that's going to put the Victory Loan over in your territory."

Under "Line-up of Treasury Material," the bulletin listed the live and transcribed material helps which would be forthcoming from the War Finance Division.

Trouble Shooter

In a box on the fourth page, stations were advised that H. Quenton Cox, KGW, Portland, on loan to Treasury as broadcast consultant, would double as trouble shooter during the campaign.

"Telling the World"

During the Victory Loan NAB will solicit weekly reports from stations showing the amount of support given the campaign. Each week's reports will be processed by the NAB Research Department and the findings released immediately under the caption, "Telling the World."

Final "Telling the World" reports will be the measure of the industry's total support to the Victory Loan. For the 7th it was $23,513,742—55% of the promotion by all media combined.

"Telling the World" reports for the 7th were found so satisfactory that their continuance in the forthcoming loan was specifically requested by Lt. (j.g.) David Levy, chief, radio section.

SCHEDULE 13 BEING MAILED

The FCC has informed NAB that copies are being mailed to all stations of Schedule 13, Form 324 entitled Employees and Their Compensation for the Week Beginning October 14, 1945. Although a copy of this year's form is not yet available we believe it will be similar to the one used in previous years. Our information indicates that the only revision will be the separate reporting of compensation paid at regular and overtime rates. No changes are being made in the classification of employees.

Stations will be required to fill out this schedule and return it to the Commission on or before November 15, 1945. NAB urges you to take care of this as promptly as possible in order that the Commission's tabulations can be completed and made available for use by the industry.

RADIO JOURNALISM BOOK TO STATIONS

Two copies of a booklet, "Council on Radio Journalism," were mailed to all station managers this week. The second copy is for news directors. Other copies have been mailed schools and departments of journalism.

Formation of the Council was approved by NAB on August 28 and later by the American Association of Schools and Departments of Journalism. As set forth in the constitution, published in the booklet, purposes of the Council are:

1. To coordinate education for all fields of radio journalism with the expanding requirements of this rapidly-developing industry for trained personnel.
2. To bring together for counsel and advice representatives of the educational institutions and the industry to the end that the educational programs of the institutions shall result in the adequate preparation of personnel for radio journalism.
3. To study and investigate such problems in the field of education for radio journalism as may be referred to it by the educational institutions or by the industry, or as may be proposed by the Council or its individual members.
4. To define and, insofar as is possible, gain acceptance for minimum standards for education for radio journalism.
5. To establish itself eventually as the voluntary accrediting agency for education programs in the field of radio journalism.

NATIONAL RADIO WEEK

November 4–10

Radio's 25th Anniversary

Also contained in the booklet are "Standards for Education for Radio Journalism," a check list (for colleges and universities) for a program of education for radio journalism; statement concerning the work of the Committee on "Courses and Teaching Materials," and a report of the Committee on "Teacher Training and Internship—Stations."

This report reveals that a total of ten teachers studied radio journalism at stations during the past summer. Radio station, KOIN, Portland, had two teachers from the University of Oregon—George Turnbull, acting dean, and Leonard L. Jermain, instructor.

Names of other interns at WTIC, Hartford; KFI, Los Angeles; WSYR, Syracuse; WFAA, Dallas; KVOO, Tulsa; WOW, Omaha; KMBC, Kansas City; and WGAR, Cleveland, have previously been published in the reports.

The committee is to continue the plan of "teaching teachers" in 1946. At a meeting in Chicago, September 18, Council member Karl Koerper, of KMBC, Kansas City, urged that the goal should be at least twenty-five teachers.

Stations furnish instruction and also reimburse internes for their expense.

WMAQ STEPS UP LOCAL NEWS COVERAGE

Intensification of local news coverage with the institution of a roving reporter and an enlarged program of special events pickups in the Chicago area was announced this week for station WMAQ, NBC's key Chicago outlet, by William Ray, news and special events director for the central division.

"All of our local news programs will have an added

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advantage of on-the-scene reporting," Mr. Ray said in announcing that Sheldon W. Peterson, a news editor in his department, is now covering a roving reporter assignment of major news outlets in the city.

Mr. Ray also pointed out that extensive special events coverage would be carried out with the aid of a portable film recorder and direct-from-the-scene broadcasts. In this connection he revealed that WMAQ, in past weeks, had covered such events as a fire in Chicago's loop and recorded a series of programs dealing with the discharge of veterans at Fort Sheridan.

STATE RADIO DIRECTOR URGED

Mrs. Robert Cornelison, President, New Jersey Radio Council, stated recently in her article on radio education in the "New Jersey Club Woman," reaching 3300 members, "It is high time that careful thought be given to the desirability of uses of FM in our schools and colleges. We need, as well, a full time Radio Director in our New Jersey State Department of Instruction. Full advantage should be taken of the opportunities that radio affords in supplementing classroom instruction by the magic of the microphone." Stations WSNJ, Bridgeton; WAAT, Newark, WTTM, Trenton, and WPAT, Paterson, were cited for their commendable efforts and service to radio education.

STATE AWD CHAIRMEN, DISTRICT NO. 4

The following women will serve as State AWD Chairmen, Ruth Crane, Fourth District Director announces:

Elinor Lee, Station WTOP, Washington, for the District of Columbia
Melva Chernoff, Station WCHS, Charleston, for West Virginia
Bettie McCall, Station WCAO, Baltimore, for Maryland
Harriet Pressley, Station WPTF, Raleigh, for North Carolina
Polly Daffron, Station WRNL, Richmond, for Virginia
Christie Zimmerman, Station WIS, Columbia, for South Carolina

FOREST SERVICE PAYS RESPECTS

In a letter to NAB R. F. Hammatt, Director of the Cooperative Forest Fire Prevention Program of the Forest Service praises the art which radio played in this work. His letter follows:

"According to recently compiled figures both the pre-war area burned annually by forest and woods fires, and the damage they did, were cut almost in half in 1944. A major factor to which the Forest Service has attributed this big gain is the nation-wide Forest Fire Prevention educational campaign to which broadcasters have made notable contributions.

"These contributions—including nation-wide use of station breaks, spots and dramatized skits timed to periods of danger from forest, woods, and range fires during each of the last 4 years—have constituted a *real* public service.

"I hope you will tell all members of the NATIONAL ASSOCIATION OF BROADCASTERS that we deeply appreciate the cooperation of the radio industry. And although V-J Day has come and gone, we hope this cooperation will continue because 9 out of 10 forest fires are *still* man-made and are *still* destroying soil, timber, and other resources that are as vital to reconversion as they were to the winning of the war."

WGAR BOOKLET ON PACIFIC MISSION

John F. Patt, general manager of WGAR, Cleveland, has circulated an attractive 64-page booklet which has as its title *Pacific Mission*, relating the experiences of Carl George, WGAR correspondent who covered that theater of the war for a period of six months.

Opening with a cheery "Hello Cleveland", George beamed 173 broadcasts back to the home city, starting last March. These broadcasts are described in the booklet. They had as points of origin, Hawaii, Leyte, Manila, Lingayen, Cagayan Valley, Brunei Bay on Borneo, Guam, Saipan and Okinawa, with a few extras thrown in enroute home by way of Chungking, Calcutta, Cairo and Casablanca.

HOW TO OBTAIN COPIES OF FCC RULES AND REGULATIONS

Inquiries are frequently received by NAB concerning the availability of the FCC Rules and Regulations and Standards of Good Engineering Practice. In order that all may be fully informed, we are outlining below the latest information received from the Superintendent of Documents, Government Printing Office.

Part	1	Rules of Practice and Procedure*	$ —
"	2	General Rules and Regulations	.10
"	3	Standard and High-frequency Stations	.10
"	4	Broadcast Services other than Standard*	—
"	5	Experimental Radio Services*	—
"	6	Fixed Public Radio Services	.05
"	7	Coastal and Marine Relay Services*	—
"	8	Ship Service	.15
"	9	Aviation Services*	—
"	10	Emergency Radio Services*	—
"	11	Miscellaneous Radio Services	.05
"	12	Amateur Radio Stations and Operators	.10
"	13	Commercial Radio Operators	.05
"	14	Radio Stations in Alaska	.05
"	15	War Emergency Radio Service	.10
"	31	Uniform System of Accounts Class A and B Telephone Companies (Part 32 combined in same book)	.15
"	32	Units of Property: Telephone Company	—
"	33	Uniform System of Accounts C	.15
"	34	Uniform System of Accounts for Radiotelegraph Carriers	.25
"	35	Wire telegraph and Ocean Cable Carriers	.35
"	41	Telegraph and Telephone Franks	.05
"	42	Destruction of Records	.10
"	43	Filing of Reports	.05
"	61	Tariffs	.10
"	62	Interlocking Directorates	.05
		Standards of Good Engineering Practice	.30

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* This section has recently been modified or is about to be modified. Mimeographed copies are available from the FCC upon request. All sections for which a price is given are obtainable from the Superintendent of Documents.

Orders should be addressed Superintendent of Documents, Government Printing Office, Washington, D. C., with an enclosed remittance, which should not be in postage stamps.

HUGE RADIO AND RADAR PRODUCTION

From July 1940 through July 1945 the radio industry delivered for war purposes $7,680,000,000 worth of radio and radar end equipment, the Radio and Radar Division of the War Production Board said today.

Of this output, the greatest in the history of the American radio industry, more than 98 per cent was delivered directly to the Army and the Navy with less than 2 per cent going to war supporting activities during the peak of the war period.

In addition, approximately $478,000,000 worth of radio

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equipment was produced for civilian purposes during the early part of this period before the industry was fully converted to war production early in 1942, WPB said. These figures are in addition to the value of the large amount of components produced for maintenance and repair purposes and for other industries, and large expenditures for research and development purposes.

The radio industry reported to the Bureau of the Census, Department of Commerce, that it produced $231,000,000 worth of equipment in 1939. This may be compared with production of $2,834,000,000 worth during 1944 which was the greatest war production year in the radio industry.

CANADIAN RADIO

So that broadcasters may keep informed and have a constant record of the contrast between state operated radio and the American free-enterprise system of broadcasting which provides an effective barrier against any attempted abridgement of free speech, NAB REPORTS from time to time publishes comment on state owned, or controlled, radio systems in other countries.

Further comment on the subject is reprinted from Oct. issue of *Canadian Broadcaster:*

"The government's continued rape of the First Freedom—Freedom of Speech—through its Canadian Braodcasting Corporation, must be evident to everyone except the private stations and their association, who prefer to keep their heads buried deep in the sands of complacency.

"In its issue of August 4, this paper told how the government is said to be preparing to make funds available to the CBC for the erection of 4 new 50 kilowatt stations across the country.

"Tears of compassion for our long-suffering fellow-citizens from the remote regions gleam in the CBC's crocodile eyes as they explain that they are trying to bring these fellow-Canadians within ear-shot of such programs as the CBC 'Farm Forum' and the endless inundations of chamber music which gush from the same source. But the fact is that in establishing these high-powered outlets the CBC will be creating, for its masters in Ottawa, an even more effective broadcasting machine, government-controlled and advertiser-subsidized, to enable it to disseminate the information it wants the citizenry to hear, and also to suppress that from which it feels the public should be 'protected.'

"So far the government is only able to broadcast its propaganda across the country by using the private stations to complete its two networks. But the day is not far distant when, having acquired an adequate number of these high powered transmitters, the CBC will be able to give the government complete coverage of Canada without help from the 'independents'. Then the moans of the private stations will ring out in every studio across the country, for the private stations will by that time have outlived their political usefulness.

"Undoubtedly the CBC will have obstacles to overcome in accomplishing this purpose, but evidence of this organization's ability to leap over hurdles is apparent on every side. May we cite one example?

"Under a CBC statement of policy, programs cannot be aired simultaneously on more than one outlet in the same area. Yet only last month the CBC, unable by any artifice it could devise to convince agencies that station CJBC, Toronto, was giving Dominion Network sponsors adequate coverage in this area, made it possible to duplicate Toronto coverage by the use of CJBC and CKEY, so that programs may now be aired by the CBC, simultaneously, on two Toronto stations, in direct contravention of its own stated policy!

"This arrangement will last as long as it suits the CBC's convenience but when CJBC boosts its power to 50 kilowatts, the second station will be cast off in the hope that advertisers will be satisfied with just the one Toronto outlet operating on greatly increased power.

"There is no sense in kidding ourselves, gentlemen of the radio industry. What the CBC wants, it goes after, and gets."

NAB TELEVISION BRIEF

John Morgan Davis, NAB General Counsel presented the following brief to the Federal Communications Commission in the hearing held on Thursday (11) on Rules and Regulations and Standards of Good Engineering Practice for Commercial Television Broadcast Stations (Docket No. 6780):

Memorandum Brief

The National Association of Broadcasters, Inc., respectfully submits this Brief in an endeavor to assist the Federal Communications Commission in promulgating fair and equitable rules and regulations concerning commercial television broadcast stations.

The Association is fully cognizant of the difficulties confronting your Honorable Commission in establishing the basic rules for the regulation of commercial television broadcast stations. It is with these problems before us that this Brief is written to the end that commercial television may take its real place in serving the public interest, convenience and necessity.

The comment and discussion contained in this Brief will follow the paragraph sequence of the order issued on the subject matter.

(1)(a) Minimum Operating Schedule

It is submitted that the establishment at this time of an arbitrary minimum period of six operating hours per day will hamper the orderly and timely development of commercial television broadcasting. The ultimate success of such broadcasting will depend largely upon flexibility of operation in all of its phases.

With the high cost of television programming a universally accepted fact this six-hour requirement would be a burden few television operators could afford to assume. It would seem that fewer required hours would better serve the public since programming would tend to be of a higher calibre.

It would be best if the number of required operating hours were left to the individual licensee so that his operations may be as flexible as possible. An excessively high hourly requirement would necessarily result in a poorer program service in many areas.

If the Commission believes it is essential to adopt a minimum number of hours requirement, we do not believe this should be set higher than two (2) hours per day. This provision could be increased for each year of operation until the present goal of six (6) hours is reached by the licensee in from three to four years. Naturally the licensee complying with the requirements would be considered as fully utilizing the channel to which assigned. However, it is recommended that the Rule be so worded that the Commission might, upon request accompanied by a showing of reasons therefor, grant exemption of the foregoing requirements, in whole or in part.

(1)(b) Time Sharing

"Time sharing" on a frequency assignment by two or more stations in the same locality requires most careful consideration. While the limited number of channels which is now available for commercial television would appear to make "time sharing" necessary, it should be understood that such a course will sacrifice flexibility of program service. In any event, "time sharing" should be regarded as a temporary expedient which will not result in the best television service and the true remedy would seem to be the allotment of additional portions of the radio spectrum to insure a healthy competitive development.

(2) Multiple Ownership

This Rule, with the exception of the clause relative to "the ownership, operation or control of more than five television broadcast stations" seems to be a clear exposition

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of the present Commission policy relative to multiple ownership. If the Commission's experience in the AM field of broadcasting has proven the validity of this policy then its extension to the other fields of broadcasting would seem to be a logical sequel.

But the extension of this policy to make "the ownership, operation or control of more than five television broadcast stations as constituting a concentration of control of television broadcasting facilities in a manner inconsistent with public interest, convenience or necessity" is illogical and without merit.

Any abuse of the public interest which might conceivably result from multiple ownership could come about only as a consequence of the Commission's action in improperly exercising its licensing power. Each application should stand on its own merits. The Commission would fall into grave error if it set an arbitrary number of stations as the point at which there will automatically result a concentration of control contrary to the public interest. Does not the public interest require that listeners have available to them the greatest number of services which the economy will support? It is readily conceivable that an applicant for a seventh, ninth or eleventh station could well be in a much better position to render genuine service to the public than another applicant who was applying for his second or third station.

The setting of such a predetermined arbitrary figure may well deter qualified applicants from applying to the Commission for additional television broadcast facilities. It would seem that the Commission best meets its obligation to the public by encouraging qualified persons to expand their services since the Commission must always determine whether such proposed expansion is actually in the public interest. Under the law, the Commission lacks authority to deny any application for a license without affording a hearing to the applicant. Any attempt to evade or minimize this fundamental duty by the regulatory device of fixing in advance the number of television broadcast stations which a person might have under his control, is certainly contrary to the spirit of the Communications Act of 1934.

It is further respectfully submitted that any policy which would arbitrarily prevent a qualified operator of six or seven AM stations from supplementing those operations with a commercial television broadcasting station in each of the areas in which such licensee is operating, is not in the public interest, convenience or necessity.

Such an artificial, arbitrary restraint would penalize experience in the operation of radio broadcasting stations, and would insert an extra hazard in the public service features of the efficient, conscientious licensee, depriving television of the services of trained and talented personnel and the American public of the greatest possible benefits from all broadcasting services. The Commission should encourage the best qualified applicants to engage in the rendering of all forms of broadcasting, regardless of how many stations such broadcaster owns or controls, so long as the operation is in the public interest. The future development of commercial television requires utilization of the skills, talents, experience and investment of the broadcasters now active in the AM and FM broadcasting fields. Naturally, in the future other individuals with the vision and necessary capital will make application for commercial television broadcast stations. Such newcomers should be welcomed as proper competition and should be given every possible encouragement. However, a sound licensing policy will not penalize the broadcaster already in the field. Rather, such a policy will contemplate the granting of licenses to those persons who plan to accept their full responsibility in the operation of a commercial television broadcast station in the public interest, convenience and necessity, thereby hastening the early development of television.

(3) Network Regulations

This Rule would establish the same regulations for commercial television broadcast stations in their relations to networks as now govern AM network relations. We doubt the advisability of a straight out and out application of the present AM network rules to the commercial television stations. It would appear that the full development of television could be enhanced by allowing a long term network contract. Such contracts should be binding on both network and television station for the term agreed upon by the parties, and should be designed to further the interests of the public in the field of programs.

The operation and development of television stations will be difficult enough in the early years without the extra burden of the short term network contract. It is well to take into consideration the great cost of providing adequate network facilities, whether by coaxial cable or relay stations, in the field of television. The more stable the network contractual relations are, the more easy to induce the investment of sufficient capital in the establishment of such networks.

A long term contract, mutually binding, would tend to stabilize the operation of television stations and lend strength and speed to their development. Possibly after there is wider experience in the operation of television stations for a period of three to five years, there will be more definite indications of the particulars in which the present AM network regulations should be applied to television network relationships. Meanwhile, it is our opinion that experience in television operation is necessary before the type of network regulations can be properly determined.

(4) Use of Common Antenna Site

As we have stated to your Honorable Commission in our Brief Re: FM Regulations, the adoption of this rule as contemplated would constitute, in our opinion, a violation of the Constitution of the United States and amount to the taking of property without due process of law. Neither the wisdom of any regulation, nor the good expected from its enforcement, can ever justify a departure from our fundamental law.

The proposed regulation not only strikes at the property rights of an individual, but also is beyond the proper functions of the Commission. Carried to its inevitable conclusion, it would place upon the Commission the burden of determining the fair value of the property involved and would actually grant to another applicant within the same area the right of eminent domain. There is nothing in the Communications Act of 1934 which confers such a power upon the Federal Communications Commission. The validity of the proposed regulation is in no wise bolstered by the fact that it attempts to set up a method whereby the Commission can refuse to grant or renew a license on the ground that the applicant is not willing to acquiesce in a desire of the Commission to have him share the antenna site which he has purchased or leased. The desire of the Commission to have sites shared is one which it has no legal authority to have executed. The matter of a common FM site was presented to the United States Senate Committee on Interstate Commerce by J. Frank Burke, President, Pacific Coast Broadcasting Company, of Pasadena, California, on November 16, 1943, when he discussed at some length the Federal Communications Commission's refusal to grant an FM license to an applicant who had obtained the exclusive right to the use of Mt. Wilson in California for that purpose. (Cf. pgs. 214 et seq., Hearings before the Committee on Interstate Commerce, United States Senate, on S. 814, a Bill to Amend the Communications Act of 1945.)

Senator Burton K. Wheeler of Montana, Chairman, at page 217 said: "In my judgment the Commission has no right under the law to go that far. They should not have any right to go that far. They should not have the right to say to a railroad company: Here's a pass through the mountains that you are using and you will have to share it. That would more appropriately refer to the Interstate Commerce Commission, I mean in the case of a railroad, but neither the Interstate Commerce Commission nor any other governmental agency has the right to say to another railroad: You can use that pass through there."

Continuing, the same Chairman Wheeler stated: "Certainly the Federal Communications Commission has not any such power and authority under the law, and it was never the intention to give them any such authority. I would be one of the last ones to say they should have such

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power. There are other locations that a station could buy."

Senator White stated on the same page: "Mr. Burke, what your proposition really boils down to is this: You are contending that if A leases an advantageous and perhaps the only available site for an FM station, the Communications Commission ought to have authority to come along and say to A, 'You have got to share those premises with B, who also wants to erect and maintain and operate a frequency modulation station.'"

Mr. Burke: "No. It does not boil down to that. There is a far different position taken. There is quite a difference in the situation, that you have to share it, a station, with somebody else, and insisting to him that he shall not make a part of his contract that the owner may prohibit another man from enjoying something in the public interest."

Senator White: "If I understand your proposition it is that if I own a piece of land I have no right to lease that land to Mr. B for the purpose of maintaining a station there, and that I have not got the right to put into a lease the selection of the tenant I will have on my land; is that your contention?"

Mr. Burke: "No."

Senator White: "Then do you mean to say that if I have given an exclusive lease on a piece of property to a citizen of the United States, this Commission could come along and say to the lessee: It is a fine lease to you to be sure, and under the terms of the lease you are the exclusive occupant of the premises, but we will insist that some other fellow who wants to have a station there, shall have the right to occupy the premises with your lessee."

Mr. Burke: "Yes, sir. I think the Commission is looking after the public interest. * * *"

Senator MacFarland: "Admitting there is a need for the thing you are talking about, isn't your remedy wrong? You are giving an awful lot of power to the Federal Communications Commission. You are almost giving them the power to take property without due process of law. In the licensing law you would give them the right of condemnation, for which under certain circumstances one has to go into court. * * * We have always recognized in the United States an orderly method."

Mr. Burke: "This is an orderly method."

Senator MacFarland: "I mean of taking property, and where the public interests are involved that is through condemnation when authority is given by the Congress, and not for a commission to say to an individual, 'Here, you have to give another man a lease or we will shut off your license.'"

* * *

Chairman Wheeler: "They are not saying it, but you want the Commission to have the power of eminent domain. They have not any right to do that, and we cannot give it to them."

Senator MacFarland: "That is not a proper body to have the power of eminent domain."

The position taken in the instant brief is that Congress never intended the Federal Communications Commission to have the right of eminent domain, whether it be exercised directly or through the indirect method proposed in the present rule. Consequently, we advocate that this rule be rejected and not adopted.

Your Honorable Commission could properly adopt a rule to encourage the sharing of technical facilities by television broadcast stations including common antenna sites, but the rule as presently worded is most dangerous and not consonant with the rights of property guaranteed by our laws.

(5) Announcement of Mechanical Reproductions

It is submitted that short of perpetrating a fraud on its audience or committing a breach of the law, the licensee should be entirely free to make use of all available sources of program material without any identification being required as to type or source of the material presented.

It is most probable that the most effective television broadcasts will combine the presentation of live talent with motion picture productions interspersed throughout the production. The broadcaster will not be able to depend upon the sound effect of an automobile as the dramatic characters of the play drive to town; the audience will expect to see the car rolling along with the actors in it. This will require motion picture additions to the studio continuity.

Further, it is common practice in motion picture production to use small working models for the filming of special effects such as shipwrecks, fires, train wrecks, storms at sea, floods, etc. Obviously, if the motion picture producers were required to identify these scenes accurately it would destroy much of the entertainment value to the public. This same danger is present in any regulation requiring identification of mechanical reproductions in television, and since no useful purpose can be served by such identification, it would be better to forego the announcement.

(6) Station Identification

It is believed that your Honorable Commission's Rule on identification should be worded to encourage the video type. This opens up the vast possibilities of presenting original and novel identifications for various stations while avoiding the effect of constant repetition.

It would seem that video identification would be sufficient if presented at intervals of thirty minutes or before and at the end of all single features of more than thirty minutes duration.

It is also suggested that all television stations be identified by aural means at intervals of about an hour in order to enable radio listeners who have only a sound receiver to identify the television sounds they happen to pick up, and also to identify the station for those persons who listen to the television programs while continuing other activities in their homes.

(7) Allocation Plan

The proposed Allocation Plan seems fair to the television broadcasters provided that only thirteen (13) commercial channels are made available for this service. We believe, however, that the engineering aspects of the Allocation Plan should be considered very carefully by the Engineering Staff of your Honorable Commission in conference and consultation with the Engineering Consultants of the various groups and individuals in the broadcast industry, so that the final allocation will tend to hasten the full development of television in the United States.

(7)(a) Community Stations

It is noted that only three channels are scheduled for assignment to this class of stations. It is suggested that the Rule be made flexible enough to provide for the assignment of a community station to any one of the thirteen channels, providing adequate proof is submitted to show that such an assignment would not prevent the utilization of the affected channel by a station, of the class to which the channel has been assigned, in the serving of an appropriate area.

Undoubtedly, the two most important factors to be considered are: (1) Adequate service of the public interest, convenience or necessity; and (2) Maximum development of the television art. Consequently, the regulations should be so worded as to grant the most flexible control of the entire allocation problem.

Conclusion

The National Association of Broadcasters has presented candidly its views on the subject matter in this Docket in the hope that they might assist your Honorable Commission in its efforts to establish proper rules and regulations for governing the commercial television broadcast stations soon to be established.

Respectfully submitted,

National Association of Broadcasters,
John Morgan Davis, *General Counsel.*

EDUCATORS AND STATIONS COOPERATE

The Kansas State Teachers College at Emporia in cooperation with radio stations comprising the Kansas State

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Network has developed an interesting series of programs. The following description of these programs should be of real value to all broadcasters:

Next year, under the supervision of the State Department of Education and through the cooperation of the Kansas State Network, the traditional "r's" of Readin', 'Ritin' and 'Rithmetic will be entertaining a fourth "r"—Radio.

Daily broadcasts, coordinated with the State Department's course of study for the rural schools will be prepared and presented daily by the Emporia State Teachers College over the facilities of five Kansas radio stations—KTSW, Emporia, KFBI, Wichita; KSAL, Salina; KVGB, Great Bend, and KIUL, Garden City. Programs in the Social Studies, Science, Art, Health and Music Singing will make up this educational radio bill-of-fare for the rural school children and will be heard at an early afternoon hour each day of the school week over all of the cooperating stations.

This program found its beginning in a year of such broadcasts to the rural school children of Lyon county, made possible when J. Nelson Rupard, general manager of KTSW in Emporia made available to the Emporia State Teachers College a daily segment of time to be used experimentally for this purpose.

"We'll give the college a half-hour segment of the broadcast day—morning or afternoon—if you'll make out of that half hour something attractive to the rural school children and 'listenable' from the point of view of a radio audience", Mr. Rupard said. "But no thirty minutes of lectures . . . no bad programs, explained away as 'dull but educational'."

The possibilities and the opportunities of this offer were immediately apparent to the Teachers College staff. Organization for the job was begun.

What were the hopes, the ambitions for such a program? Several. Here within the listening area of KTSW were many rural schools. The teachers of these schools had from time to time expressed a desire for help in many and sundry ways. Sometimes it was for aid in the teaching of certain specialized subjects—music singing, art, music appreciation and to a lesser extent, language arts. Sometimes it was for an enrichment of the daily program in science, social studies, health and other similar subjects.

Now here, in this radio series was a new and dramatic opportunity. Through radio would it not be possible to bring into the very classroom itself and directly to the pupils, the teaching skills, the talents, the experience and the rich resources of the entire college and its teaching staff? Could we not in this way accomplish a "distribution" of educational resources that had never before been possible? It was with this challenge before it that the Emporia State staff went to work.

Chairmen of work groups or committees were appointed. Each one was chosen from the Emporia State staff not only for proficiency in his field, but also because of his knowledge of the problems of rural education. These chairmen were asked to name their own committees to work with them. Thus a broad foundation was established on which to build the structure of the radio programs. And from this large group of staff members came the materials, many of the scripts and much of the performance on what came to be known to rural school children as "The Emporia State Radio Classroom."

When each group had met a number of times, sometimes as single committees, sometimes several committees together, a general program for the year was worked out and organized. Then Teacher's Manuals were prepared.

These manuals are a highly important element in the whole picture of radio instruction. Each lesson plan carries the theme of the lesson, the specific subject for that day, a suggestion of pre-broadcast preparations, suggestions for pupil participation during the broadcast (when such are advisable) and post-broadcast activities. Thus the teacher is able to "plan" for the daily broadcast as carefully as she would plan for any element of instruction in her daily routine.

The first fourteen weeks of broadcasts, which began on September 18, 1944, were highly experimental. During this time many informal interviews were carried on with the teachers who were using the programs. Criticisms, frank and frequent, were implored . . . and usually secured. The pupils themselves, at our encouragement, became some of our most outspoken critics. Script formats were tested, modified . . . and in some cases, dropped.

Always, however, the demands of "radio presentation" were kept in mind. ". . . no thirty minutes of lectures . . . no bad programs explained away as 'dull but educational'." Of necessity, these words were remembered. So the peculiar capacities of radio to stimulate the imagination were employed wherever possible. Stories . . . music . . . sound . . . humor . . . all were utilized as opportunity and talent-studio facilities permitted. All scripts and all production were handled by the Radio Office—the teachers insisting upon "good education"—the Radio Office on "good radio." At no time have the two been found in any way incompatible.

The response to the "Emporia State Radio Classroom" has been enthusiastic. Teachers and pupils alike write unsolicited letters of appreciation to the Radio Office. But above and beyond this, the use of the programs seems to have stimulated pupils and teachers alike to make still greater use of other educational resources. Inquiries for more information, requests for reading lists and books, reports on science experiments and field trips, art materials, original songs and stories based on programs they have heard—all came to the Radio Office from rural school teachers and pupils, accompanied with requests for help, counsel or criticism. These letters were sent to members of the Emporia State staff for answer and action.

In filling the need that teachers have expressed for help in some of the more specialized materials, music singing is a good case in point.

Most of the schools in Lyon County cannot afford the services of the Music Supervisor. Most of these are, in turn, taught by teachers who make no pretense at being music teachers. To them the Tuesday morning "Singing by Radio" program was an invaluable aid. Special music books were multilithed at the Teachers College under the supervision of Miss Catherine Strouse, the "Singing by Radio" teacher, and were made available to the pupils. Then, every Tuesday morning, through a carefully planned procedure based on years of experience in public school music, Miss Strouse taught the singing of these songs. The "proof of the pudding" in this case were the occasions when these pupils came together in Emporia to sing the songs learned by radio and Miss Strouse's almost amazed enthusiasm at not only the accuracy with which the songs had been learned, but also the sweetness of tone. The latter, Miss Strouse states, is a direct result of radio instruction, in that the pupils have learned to sing "under" the studio singers, a situation which has prevented the children from "forcing" their voices as they sang.

A contribution, similar to that made by the music singing programs, was made in the field of Art and Music Appreciation. But for the most part the greatest contribution made by the "Radio Classroom" was the enrichment of the normal, daily program of the rural school pupil not only in these "special" fields, but in the "subject matter" areas as well.

The experience in the "Radio Classroom" was proof of something we thought we knew—that radio in no way is a "substitute" for a teacher. Here as in every type of teaching aid, the better the teacher the better the utilization of the programs. But, drawing as they do on the entire resources of the College, these programs cannot help but bring to the rural school pupil a multiplicity of experiences beyond those of any one teacher, and must of necessity, therefore, make his everyday school program more vital, more alive, more real.

By way of illustration consider the Social Studies-Language Arts programs for this last semester. The theme was Mexico, Central and South America. This study is a regular unit in the rural school program and year after year rural school teachers have presented it as best they could with such resources of books, maps, or personal experiences as were available. This year, however, the pupils in "The Emporia State Radio Classroom" had beside those "teacher" resources the following materials: The personal experiences of an Emporia State staff member who had travelled extensively in Central and parts

(Continued on next page)

of South America. An experience with the language of these countries as pesented by another staff member who has literally spent years in Mexico and is an authority on the country and its people. The advice and counsel of the entire Modern Language Department at Emporia State. The advice and counsel of our best people in the field of children's literature. The supervision of a staff member who is not only one of the finest teachers of Social Studies, but also has had years of experience in the rural schools.

And so, week after week, as the pupils studied their unit of Social Studies on Mexico, Central and South America there came to them, from the outside, through a medium, itself dramatic and interesting and challenging, a program of enrichment that must have enhanced tremendously their regular study of a normal Social Studies unit.

The "Radio Classroom" was well along in the second semester when the State Department of Education asked for information of the series. Upon hearing some of the transcriptions of the programs, examining the Teacher's Aid, looking over the Music Books and hearing from some of the participants the success it had achieved in the rural school, the State Department expressed the wish that the opportunity for such radio-enrichment might be made available to all of the rural schools of Kansas. This wish was carried to the Kansas State Network, an affiliate of the Mutual Broadcasting System, with five stations covering the major portion of the State of Kansas, by J. Nelson Rupard, general manager of KTSW. The station managers in every case listened to the transcriptions, examined the manuals and song books, seriously considered the State Department's request, examined their schedules and offered a quarter hour segment in the early afternoon to be made available to the State Department as a puplic service.

Many problems of this program have been cleared away by placing the supervision of the materials in the hands of the State Department. For example, a much closer coordination between courses of study and the programs themselves has been made possible. As a matter of fact the course of study for the coming year is being designed by the elementary rural school supervisor, of the Department of Education with the possible contributions of this radio education program definitely in mind. Thus the teachers of the rural schools can anticipate through the "Radio Classroom" not only an enrichment of their daily programs, but also daily and practical aid to them in their normal teaching problems.

Much remains to be done. There is, of course, the very real problem of the scarcity of good radios. Several teachers who desired to use the program in Lyon County were unable to do so because no radio could be found. Many teachers and pupils brought their own radios to school. Some took their classes out of doors and listened over their car radios. And one teacher, at least, had her radio taken out of her car and mounted in a cabinet so it could be used for the "Radio Classroom."

With the program on such a state-wide basis, however, there is evidence that every possibility for getting radios into the rural schools will be studied and exploited. The State Superintendent has appealed to the teachers and the patrons of the schools themselves to locate "extra" radio sets, bring discarded battery sets back into use, stimulate local organizations into action on "radios-for-rural-schools" campaigns and in every way possible secure the programs against curtailment of its use because of inadequate listening facilities.

There are, incidentally, many "by-products" of this use of radio which should not be neglected. Radio has become and will remain one of our greatest social forces. Latest surveys indicate that the average adult reads a half-hour a day—listens to the radio over three hours a day. This fact alone would indicate the need in our schools for guided, intelligent and worthy "listening" experiences, just as truly as there has been a need for such reading experiences. The very presence of the radio in the classroom encourages its further use.

It opens the door to a study of "history in the making." The events of the contemporary world can and should be brought into the classroom as they occur for review, discussion, study. Daily experiences with the world's greatest music, drama and speech belong to the classroom equipped with radio. These, and many others, are the "by-products" of the "Radio Classroom."

But to the State Department of Education, and Emporia State Teachers College, the Kansas State Network, the "Radio Classroom" is a medium through which mutually they can in part accomplish what must be one of their primary obligations—to contribute to the people of the area they serve the resources that are all too often confined to such a concentrated area as a college campus.

It is the hope of all three cooperating agencies that through the development of this program the State Department may continue to vitalize its educational program for the rural schools, Emporia State may continue to distribute its resources to those areas of need which as a state college it is bound to serve—and that the individual stations in the network may further continue their established policies of contribution to the "public interest, convenience and necessity."

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 15. They are subject to change.

Monday, October 15

Further Hearing

WCHS—Charleston Broadcasting Company, Charleston, W. Va.—Renewal of license; **580 kc.**, 5 KW, unlimited DA-night.

Broadcast

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); **1000 kc.**, 5 KW (main), 1 KW (auxiliary), unlimited.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); **950 kc.**, 5 KW (main), 1 KW (auxiliary), unlimited, DA-night (main).

Before the Commission En Banc

In the Matter of Assignment of FM frequencies to existing FM licensees in the New York metropolitan district.

Wednesday, October 17

NEW—Fred O. Grimwood, Bloomington, Ind.—C. P.; **1490 kc.**, 100 watts, unlimited.

Further Hearing

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license; **1280 kc.**, 1 KW night, 5 KW day, unlimited.

Thursday, October 18

NEW—O. E. Richardson, R. W. Widdel, and S. G. Strasburg, d/b as the Voice of Marion, Marion, Ind.—C. P.; **1230 kc.**, 250 watts, unlimited.

Friday, October 19

Consolidated Hearing

NEW—C. M. Zinn and G. Leslie Golliday, d/b as Martinsburg Broadcasting Co., Martinsburg, W. Va.—C. P.; **1340 kc.**, 250 watts, unlimited.

NEW—Richard Field Lewis, Jr., and Grant Pollock, a partnership, d/b as Berkeley Broadcasting Co., Martinsburg, W. Va.—C. P.; **1340 kc.**, 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

KOVO—KOVO Broadcasting Co., Provo, Utah.—Granted motion for leave to amend application for construction permit covering change in the specifications and site for DA, and the application as amended, was removed from the hearing docket.

WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Granted motion for leave to amend application for construction permit; reopened the record in this Docket (No. 5859), and without further hearing said amendment is made a part of the record in said Docket.

The Eagle-Gazette Co., Lancaster, Ohio.—Granted petition for leave to amend application for new station, with respect to paragraphs 18 and 19 thereof.

Capitol Broadcasting Co., Nashville, Tenn.—Granted motion for leave to amend application for new station; reopened the record in this matter, and without further hearing the amendment is made part of the record in Docket 6669.

WWSW—WWSW, Inc., Pittsburgh, Pa.—Granted motion for leave to amend application; reopened the record in the consolidated proceeding, and without further hearing the amendments are made a part of the record in Docket No. 6121.

WREN—The WREN Broadcasting Co., Inc., Lawrence, Kans.—Granted motion for leave to amend its application for construction permit, and the amendments are accepted.

J. W. Birdwell, Nashville, Tenn.—Granted motion for leave to amend his application; accepted said amendment and the record in the matter reopened and without further hearing the amendment is made part of the record in Docket 6649.

Baron Broadcasting Co., Wilkes-Barre, Pa.—Granted petition to reopen the record heretofore made in the hearing on application for a new station, so as to permit the filing of an agreement entered into on September 15, 1945, between Lou Poller and the Union Broadcasting Co., referring to certain litigation then pending in Lakawanna County, Penna. Court, and without further hearing the agreement is accepted and made a part of the record in this matter.

Illinois Valley Broadcasting Co., Peoria, Ill.—Granted petition for leave to amend application for new station, and the amendment filed with petition was accepted.

Dixie Broadcasting Co., Montgomery, Ala.—Granted petition for leave to amend its application for a new station, accepted the amendment and the application as amended, was removed from the hearing docket.

WHB—WHB Broadcasting Co., Kansas City, Mo.—Granted petition for leave to amend its application for construction permit, accepted the amendment, reopened the record and without further hearing said amendment was made a part of the record in Docket 6022.

Durham Broadcasting Co., Inc., Durham, N. C.—Granted petition for leave to amend application for new station, accepted said amendment and removed the application as amended, from the hearing docket.

LICENSE RENEWALS

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Granted renewal of license for the period ending May 1, 1948.

WROX—Birney Imes, Sr., Clarksdale, Miss.—Granted renewal of license for the period ending February 1, 1948 (Comr. Durr voting for hearing).

WJAC—WJAC, Inc., Johnstown, Pa.—Granted renewal of license for the period ending August 1, 1947 (Comr. Durr voting for hearing).

WTCM—Midwestern Broadcasting Co., Traverse City, Mich.—Granted renewal of license for the period ending August 1, 1947.

MISCELLANEOUS

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted petition to remove from hearing docket and grant applications to assign license of station KJR (and associated relay station) from Fisher's Blend Station, Inc., to Birt F. Fisher.

WBML—Mrs. Arthur Christie (Transferor), E. D. Black and E. G. McKenzie (Transferees), Middle Ga. Broadcasting Co. (Licensee), Macon, Ga.—Granted consent to acquisition of control by E. D. Black and E. G. McKenzie of Middle Georgia Broadcasting Co., licensee of Station WBML, through sale of 50 shares of common stock (25%) by Mrs. Arthur Christie to licensee corporation for a total consideration of $20,000 (B3-TC-460).

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky and Bailey, Washington, D. C.—Granted applications for assignment of license of developmental broadcast station W3XO from C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky and Bailey, to WINX Broadcasting Company for a consideration of $75,000 (B1-ALEX-1).

A. Frank Katzentine, Orlando, Fla.—Granted motion for leave to amend application for new station so as to change frequency from **1400 kc.** to **1420 kc.**, and power from 250 watts to 5 KW with DA at night, unlimited time, and the amendment was accepted as part of the application, and ordered that the application as amended, be removed from the hearing docket.

A. C. Neff, Savannah, Ga.—Granted petition for leave to amend application for new station so as to show (1) a balance sheet as of September 1, 1945, and (2) transmitting and associated equipment now proposed to be used, and the amendment covering these matters was accepted as part of the application.

Rochester Broadcasting Corp., Rochester, N. Y.—Granted motion for leave to amend its application for a new station, and the application as amended, is made a part of the record without further hearing, and the proposed findings filed by applicant were amended.

KRBC—Reporter Broadcasting Co., Abilene, Texas.—Granted petition for leave to amend application so as to increase daytime power from 1 to 5 KW on frequency **1470 kc.**, etc., and the amendment as submitted was accepted.

KPLC—Calcasieu Broadcasting Co., Lake Charles, La.—Granted petition for leave to amend application so as to show changes since filing of application in applicant's financial status, its interests in other stations, etc., and the amendment as submitted was accepted.

KVOM—KVOM, Inc., Marshall, Texas.—Granted petition for leave to amend its application for new station, so as to show current information as to applicant's post office address; its officers, directors, and stockholders, etc., and the amendment was accepted.

KVOM—KVOM, Inc., Marshall, Texas.—Denied petition to hold consolidated hearing on applicant's application and that of Marshall Broadcasting Co., Marshall, Texas, in Marshall, instead of in Washington, D. C., as now scheduled.

WARC—WARC, Inc., Rochester, N. Y.—Granted motion for leave to file supplemental information without further hearing, and to supplement proposed findings in re application for new station.

WMC—Memphis Publishing Co., Memphis, Tenn.—Granted construction permit to install new transmitter.

WNHC—Elm City Broadcasting Corp., New Haven, Conn.—Granted authority to determine operating power by direct measurement of antenna power in accordance with Sec. 3.54. The licensee is granted a waiver of Sec. 3.55(b) and 3.60 of the Commission's rules and regulations; conditions.

WHOP—Hopkinsville Broadcasting Co., Hopkinsville, Ky.—Granted authority to determine operating power by direct measurement of antenna power.

KVOX—KVOX Broadcasting Co., Moorhead, Minn.—Granted authority to determine operating power by direct measurement of antenna power.

KWSC—State College of Washington, Pullman, Wash.—Granted authority to determine operating power by direct measurement of antenna power.

Farnsworth Television & Radio Corp., Area of Ft. Wayne, Ind.—Granted construction permit for new relay broadcast station; frequencies: **30820, 33740, 35820** and **37980 kc.**, .1 watt power.

Farnsworth Television & Radio Corp., Area of Ft. Wayne, Ind.—Granted construction permit for new relay station; frequencies: **1646, 2090, 2190** and **2830 kc.**; 25 watts; portable-mobile; area surrounding Ft. Wayne.

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WBPC—Georgia School of Technology, Area of Atlanta, Ga.—Granted license to cover construction permit covering new relay broadcast station to be used with standard station WGST; frequencies: **1646, 2090, 2190, 2830 kc.**, 150 watts.

Utah Broadcasting and Television Co., Area of Salt Lake City.—Granted construction permit for new relay broadcast station to be used with standard station KUTA; frequencies: **30.82, 33.74, 35.82, 37.98 mcs.**, 17 watts power.

W8XCT—The Crosley Corp., Cincinnati, Ohio.—Granted modification of construction permit which authorized a new experimental television broadcast station, for extension of completion date only from 10-28-45 to 4-28-46. This permit is granted subject to changes in frequency assignment which may result from proceedings in Docket 6651.

WEHS—WHFC, Inc., Chicago, Ill.—Granted license to cover construction permit for new FM broadcast station; **48.3 mcs.**; studio and transmitter: 105 W. Adams St., Chicago.

WHLD—The Niagara Falls Gazette Publishing Co., Niagara Falls, N. Y.—Placed in the pending files application for construction permit to change frequency from **1290** to **1200 kc.**, and hours of operation from day only to limited—WOAI, San Antonio.

WMBC—Mississippi Broadcasting Co., Inc., Macon, Miss.—Granted request for assignment of call letters WMBC to this station.

W2XRY—Raytheon Mfg. Co., New York City.—Granted request for 90-day temporary authority to broadcast programs over Developmental Broadcast Station W2XRY, in accordance with Sec. 4.153(a) of the Commission's Rules.

KOMO and KJR—Fisher's Blend Station, Inc., Seattle, Wash.—The Commission, on its own motion, continued the hearing now scheduled for Oct. 15 to November 1, on application for renewal of licenses.

In the Matter of Modification of License of Radio Station WGTM, Wilson, N. C.—Adopted an order dismissing Order to Show Cause entered on Nov. 9, 1944, when the Commission ordered station WGTM to show cause at a hearing why the license of said station should not be modified so as to specify frequency **1240** in lieu of its presently assigned frequency of **1340 kc.**, and the hearing in said Order to Show Cause was consolidated with the hearing on application of Durham Broadcasting Co., Inc., as amended.

APPLICATIONS FILED AT FCC

550 Kilocycles

NEW—Federated Publications, Inc., Lansing, Mich. (P. O. 34-42 W. State Street, Battle Creek, Mich.)—Construction permit for a new standard broadcast station to be operated on **550 kc.**, power of 1 KW, directional antenna and unlimited hours of operation.

590 Kilocycles

KGGM—New Mexico Broadcasting Co., Inc., Albuquerque. N. Mex.—Construction permit to change frequency from **1260 kc.** to **590 kc.**, and change location of transmitter. Amended to request increase in power from 1 KW. day and night to 1 KW. day, 5 KW. night; installation of new transmitter and directional antenna for night use.

NEW—San Bernardino Broadcasting Co., Inc., San Bernardino, Calif.—Construction permit for a new standard broadcast station to be operated on **590 kc.**, power of 1 KW., using directional antenna day and night and unlimited hours of operation. Amended re changes in corporate structure.

600 Kilocycles

WMT—American Broadcasting Stations, Inc., Cedar Rapids, Iowa—Construction permit to install new transmitter.

620 Kilocycles

NEW—Chas. H. Russell, W. B. McCarty, T. E. Wright & C. A. Lacy, a limited partnership, d/b as Rebel Broadcasting Company, Jackson, Miss.—Construction permit for a new standard broadcast station to be operated on **620 kc.**, power of 1 KW. night, 5 KW. local sunset; directional antenna night and unlimited hours of operation. Amended re change in type of transmitter.

730 Kilocycles

NEW—John J. Laux, Richard Teitlebaum, Myer Wiesenthal, Alex Teitlebaum, Louis Berkman, Jack N. Berkman, Charles C. Swaringen, Joseph Troesch & John L. Merdian, partners, d/b as Liberty Broadcasting Co., Pittsburgh, Pa.—Construction permit for a new standard broadcast station to be operated on **730 kc.**, power of 1 KW, and daytime hours of operation. Amended re changes in transmitter and vertical antenna and omit request for partial grant for 250 watts.

780 Kilocycles

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Construction permit to install new vertical antenna.

800 Kilocycles

NEW—The Border Broadcasting Co., Dillon, S. C. (P. O. 118 MacArthur Ave.)—Construction permit for a new standard broadcast station to be operated on **800 kc.**, power of 1 KW., and daytime hours of operation.

820 Kilocycles

KOL—Seattle Broadcasting Co., Seattle, Wash.—Construction permit to change frequency from **1300** to **820 kc.**, increase power from 5 KW. to 50 KW., install new transmitter and directional antenna for day and night use, and change transmitter and studio locations.

840 Kilocycles

NEW—The New Britain Broadcasting Co., New Britain, Conn. (P. O. 272 Main St.)—Construction permit for a new standard broadcast station to be operated on **840 kc.**, power of 1 KW., and daytime hours of operation.

850 Kilocycles

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Transfer of control of licensee corporation from Alice E. Matheson and Ralph G. Matheson to Fidelity Broadcasting Corporation (12,055 shares common stock (83.89%) and 141 shares preferred stock (37.7%); also includes 1250 shares common stock (8.7%) and 20 shares preferred stock (5.35%) of other stockholders; total—13,305 shares common stock (92.59%) and 161 shares preferred stock (43.05%))

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Authority to determine operating power by direct measurement of antenna power.

860 Kilocycles

NEW—Wisconsin Broadcasting System, Inc., Milwaukee, Wis. (P. O. Box 726 W. Mitchell St.)—Construction permit for a new standard broadcast station to be operated on **860 kc.**, power of 250 watts and daytime hours of operation.

910 Kilocycles

NEW—Valley Broadcasting Association, Inc., McAllen, Texas.—Construction permit for a new standard broadcast station to be operated on **910 kc.**, with power of 1 KW; directional antenna day and night and unlimited hours of operation. Amended re change in type of transmitting equipment and change studio location from McAllen, Texas, to Hidalgo County, Texas.

920 Kilocycles

NEW—Reno Broadcasting Company, Reno, Nev.—Construction permit for a new standard broadcast station to be operated on **920 kc.**, with power of 1 KW., employing directional antenna day and night and unlimited hours of operation. Amended re changes in transmitting equipment.

930 Kilocycles

WKY—WKY Radiophone Company, Oklahoma City, Okla.—Construction permit to move auxiliary transmitter to present site of main transmitter and operate with power of 1 KW., employing directional antenna night.

(Continued on next page)

970 Kilocycles

NEW—Texoma Broadcasting Co., Wichita Falls, Texas.—Construction permit for a new standard broadcast station to be operated on **970 kc.**, power of 1 KW. and daytime hours of operation. Amended re changes in transmitting equipment.

KENO—Maxwell Kelch & Laura Belle Kelch, d/b as Nevada Broadcasting Co., Las Vegas, Nev.—Construction permit to change frequency from **1400** to **970 kc.**, increase power from 250 watts to 1 KW., and install new transmitter, antenna and ground system.

990 Kilocycles

NEW—John C. McCormack, Geo. D. Wray, P. E. Furlow, Allen D. Morris, C. H. Maddox and W. E. Antony, d/b as Oklahoma Television & Broadcasting Co., Tulsa, Okla. (P. O. Box 1121, Shreveport, La.)—Construction permit for a new standard broadcast station to be operated on **990 kc.**, power of 1 KW, directional antenna, night and unlimited hours of operation.

1040 Kilocycles

WHO—Central Broadcasting Co., Des Moins, Iowa.—Transfer of control of licensee corporation from B. J. Palmer, Mabel Palmer, Daniel David Palmer and William M. Brandon, Trustees, to Daniel David Palmer—4596 shares common stock—51.57% outstanding.

1060 Kilocycles

NEW—Palladium Publishing Co., Benton Harbor, Mich. (P. O. ℅ Stanley R. Banyon, 61-65 Wall St.)—Construction permit for a new standard broadcast station to be operated on **1060 kc.**, power of 250 watts, and daytime hours of operation.

1090 Kilocycles

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Special service authorization to permit broadcasting as a public service and without charge, information to longshoremen at 3:45 p. m. daily in accordance with the requests of the International Longshoremen's and Warehousemen's Union and Pacific Coast Maritime Industry Board dated 9-25-45, for the period ending 9-30-46.

1110 Kilocycles

NEW—Bay City Broadcasting Co., Ltd., a partnership composed of J. A. Clements and T. C. Dodd, Bay City, Texas. (P. O. ℅ Jas. A. Clements, Box 184, Angleton, Tex.)—Construction permit for a new standard broadcast station to be operated on **1110 kc.**, power of 1 KW., and unlimited hours of operation.

1190 Kilocycles

WOWO—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Construction permit to increase power from 10 KW. to 50 KW., install new transmitter and directional antenna for night use, and change transmitter location from Fort Wayne, Ind., to near Roanoke, Ind.

1200 Kilocycles

NEW—Norfolk Broadcasting Corporation, Norfolk, Va.—Construction permit for a new standard broadcast station to be operated on **1200 kc.**, power of 250 watts, and daytime hours of operation. Amended re changes in transmitting equipment.

1230 Kilocycles

NEW—Arkansas-Oklahoma Broadcasting Corp., Fort Smith, Ark. (P. O. Ward Hotel)—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Dorrance D. Roderick, Pueblo, Colo. (P. O. 2201 Wyoming St., El Paso, Texas)—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts, and unlimited hours of operation.

1240 Kilocycles

NEW—E. E. Murrey, Tony Sudekum, Harben Daniel and J. B. Fuqua, a partnership, d/b as Tennessee Broadcasters, Nashville, Tenn.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts, and unlimited hours of operation. Amended re changes in transmitting equipment and antenna.

1260 Kilocycles

KYA—Palo Alto Radio Station, Inc., San Francisco, Calif.—Special service authorization to permit broadcasting of information to longshoremen in accordance with the request of the Pacific Coast Maritime Industry Board and International Longshoremen's and Warehousemen's Union for the period beginning 11-1-45 and ending 11-1-48.

KVSF—New Mexico Broadcasting Co., Inc., Santa Fe, N. Mex.—Construction permit to install new transmitter, new vertical antenna, move transmitter and studio, change frequency from **1340 kc.** to **1260 kc.**, and increase power from 100 watts to 1 KW.

KFGQ—Boone Biblical College, Boone, Iowa—Authority to determine operating power by direct measurement of antenna power.

1300 Kilocycles

NEW—Raoul A. Cortez, San Antonio, Texas.—Construction permit for a new standard broadcast station to be operated on **1300 kc.**, power of 1 KW, and daytime hours of operation. Amended re changes in transmitting equipment and antenna and to specify studio location.

1320 Kilocycles

NEW—Kankakee Daily Journal Co., Kankakee, Ill. (P. O. 193 N. Schuyler Ave.)—Construction permit for a new standard broadcast station to be operated on **1320 kc.**, power of 1 KW., and daytime hours of operation.

1340 Kilocycles

NEW—J. E. Rodman, Bakersfield, Calif.—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation. (Contingent on KFRE's application B5-P-3757 for change to **1060 kc.**). Amended re changes in transmitting equipment.

NEW—Dorrance D. Roderick, Silver City, N. Mex. (P. O. 2201 Wyoming St., El Paso, Texas)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Sierra Broadcasting Co., Reno, Nev.—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation. Amended: re changes in corporate structure and type of transmitter.

1380 Kilocycles

NEW—Valley Broadcasting Co., Stockton, Calif. (P.O. 1617 30th St., Sacramento, Calif.)—Construction permit for a new standard broadcast station to be operated on **1380 kc.**, power of 1 KW., directional antenna, night, and unlimited hours of operation.

1400 Kilocycles

NEW—Joe L. Smith, Jr., Charleston, W. Va.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation. Amended re changes in transmitting equipment.

NEW—Aloha Broadcasting Co., Inc., Honolulu, T. H.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation. Amended re change in transmitting equipment.

NEW—C. H. Fisher & B. N. Phillips, a copartnership, d/b as Valley Broadcasting Co., Eugene, Ore.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, with power of 250 watts, and unlimited hours of operation. Amended re changes in transmitting equipment.

NEW—Chatham Broadcasting Co., Savannah, Ga. (P. O. 36 Bull—

(Continued on next page)

Savannah Hotel)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—A. C. Neff, Savannah, Ga.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation. Amended re change in type of transmitter.

NEW—Geo. Burne Smith and V. H. McLean, d/b as the Gateway Broadcasting Co., Maryville, Tenn.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation. Amended re change in transmitter and studio locations and change in antenna.

NEW—Gilbert H. Kaynor and Howard H. Kaynor, Co-Partners, d/b as Kittitas Valley Broadcasting Station, Ellensburg, Wash. (P. O. Route #2)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—McAlester Broadcasting Co., a Co-Partnership composed of C. E. Wilson and P. D. Jackson, McAlester, Okla. (P. O. Aldridge Hotel)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation.

1450 Kilocycles

NEW—Marshall Broadcasting Co., Marshall, Texas.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: re stockholders.

NEW—Permian Basin Broadcasting Co., Odessa, Texas (P.O. c/o James S. Key, 309 N. Grant Ave., Box 686).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Greater Huntington Radio Corp., Huntington, W. Va.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: re corporate structure.

NEW—Great Northern Radio, Inc., Glens Falls, N. Y. (P.O. 1 Coolidge Avenue, Glen Falls, N. Y.).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Dorrance D. Roderick, Odessa, Texas (P.O. 2201 Wyoming St., El Paso, Tex.).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Ruth Braden Weber, Edward F. Braden, George E. Mead, John H. Braden, Lala Braden Boughton, and Kirke M. Beall, d/b as Escambia Broadcasting Co., Pensacola, Fla.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: re changes in transmitting equipment.

1460 Kilocycles

NEW—Fort Orange Broadcasting Co., Inc., Albany, N. Y. (P.O. 100 State St.).—Construction permit for a new standard broadcast station to be operated on **1460 kc.**, power of 5 KW, using directional antenna day and night and unlimited hours of operation. (Facilities of WOKO.)

1470 Kilocycles

NEW—Silver City Crystal Co., Meriden, Conn. (P.O. 468 Center St.).—Construction permit for a new standard broadcast station to be operated on **1470 kc.**, power of 1 KW, using directional antenna day and night and unlimited hours of operation.

1480 Kilocycles

NEW—Wisconsin State Broadcasting Co., Madison, Wis. (P.O. c/o C. T. Hagman, Wesley Temple Bldg., Minneapolis, Minn.).—Construction permit for a new standard broadcast station to be operated on **1480 kc.**, power of 1 KW, using directional antenna day and night and unlimited hours of operation.

1490 Kilocycles

NEW—The Middlesboro Broadcasting Co., Middlesboro, Ky. (P.O. Box 500).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Fred O. Grimwood, Bloomington, Ind.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 100 watts and unlimited hours of operation. Amended: to change type of transmitter.

NEW—Glasgow Broadcasting Company, Glasgow, Ky. (P.O. 213 S. Green St.).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

NEW—WGCM Broadcasting Company, a co-partnership, composed of Hugh O. Jones, William E. Jones and James O. Jones, Biloxi, Miss.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, with power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter.

NEW—Murray L. Grossman, tr/as The Danbury Broadcasting Co., Danbury, Conn. (P.O. 605 Cooke Street, Waterbury, Conn.).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Jas. A. Brown, Ronald C. Johnson, Elbert B. Griffis, Bert Graulich, Chas. H. Johnson, Wm. A. Johnson, Jas. E. Brooker, Chas. E. Cross, Alden J. Woodworth, Frank E. Sater and Frank J. Beougher, d/b as Atlantic Shores Broadcasting, Ltd., Coral Gables, Fla.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter, antenna and specify studio location as Alhambra Circle and Ponce de Leon Blvd., Coral Gables, Florida.

KRNR—News-Review Company, Roseburg, Oregon.—Construction permit to install a new vertical antenna.

NEW—Southland Broadcasting Co., Laurel, Miss. (P.O. c/o Warner Beard, Jr., First Nat'l Bank Bldg.).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Commonwealth Broadcasting Corp., Danville, Ky. (P.O. 926 Eastern Parkway, Louisville, Ky.).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

NEW—I. K. Corkern, Bogalusa, La. (c/o E. L. Corkern, Richmond St.).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

1500 Kilocycles

NEW—Methodist Radio Parish, Inc., Flint, Mich.—Construction permit for a new standard broadcast station to be operated on **1500 kc.**, power of 250 watts and unlimited hours of operation. Amended: re corporate structure.

1600 Kilocycles

NEW—Burlington-Graham Broadcasting Co., Burlington, N. C. (P.O. State Theatre Bldg.).—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 500 watts night and 1 KW daytime and unlimited hours of operation.

NEW—Sabine Area Broadcasting Corp., Orange, Texas (P.O. Box 2022).—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 250 watts and unlimited hours of operation.

FM APPLICATIONS

NEW—The Yankee Network, Inc., Providence, R. I. (P.O. 21 Brookline Ave., Boston, Mass.).—Construction permit for a new FM broadcast station to be operated on Channel #43, **96.5 mc.** with coverage not specified.

NEW—Arthur Malcolm McGregor, Dorothy Charlotte McGregor and Hugh L. Gately, d/b as Radio Station WJBC, Bloomington, Ill.—Construction permit for a new FM broadcast station to be operated on **45.3 mc.**, coverage of 6,660 square miles. Amended: to omit Dorothy Charlotte McGregor from name of partnership, change frequency to Channel #47 **(97.3 mc.)**, change type of transmitter and changes in antenna.

(Continued on next page)

NEW—State Broadcasting Corporation, Hartford, Conn. (P.O. 54 Pratt Street).—Construction permit for a new FM broadcast station to be operated on Channel #30, **93.9 mc.** with coverage not specified.

NEW—Press-Union Publishing Co., Atlantic City, N. J. (P.O. 1900 Atlantic Avenue, corner Ohio Avenue).—Construction permit for a new FM broadcast station to be operated on frequency to be determined by Commission with coverage of 1,552 square miles.

NEW—The Yankee Network, Inc., Bridgeport, Conn. (P.O. 21 Brookline Avenue, Boston, Mass.).—Construction permit for a new FM broadcast station to be operated on Channel #72, **102.3 mc.** with coverage not specified.

NEW—The Yankee Network, Inc., Boston, Mass. (P.O. 21 Brookline Avenue).—Construction permit for a new FM broadcast station to be operated on Channel #25, **92.9 mc.** with coverage not specified.

NEW—National Broadcasting Co., Inc., San Francisco, Calif.—Construction permit for a new FM broadcast station to be operated on **43.9 mc.** with coverage to be determined. Amended: to change frequency from **43.9 mc.** to Channel #55, **98.9 mc.**

NEW—National Broadcasting Co., Inc., Washington, D. C.—Construction permit for a new FM broadcast station to be operated on **44.3 mc.** with coverage to be determined. Amended: to change frequency from **44.3 mc.** to Channel #55, **98.9 mc.** and change type of equipment.

NEW—National Broadcasting Co., Inc., Cleveland, Ohio.—Construction permit for a new FM broadcast station to be operated on **43.7 mc.** with coverage to be determined. Amended: to change frequency from **43.7 mc.** to Channel #55, **98.9 mc.**

NEW—National Broadcasting Co., Inc., Los Angeles, Calif.—Construction permit for a new FM broadcast station to be operated on **44.1 mc.** with coverage to be determined. Amended: to change frequency from **44.1 mc.** to Channel #55, **98.9 mc.**

NEW—The Yankee Network, Inc., Worcester, Mass.—Construction permit to change service area from 19,000 square miles to "to be furnished", change frequency from **44.3 mc.** to Channel #69, **101.7 mc.,** install new equipment and change studio location from Boston to Worcester, Mass.

NEW—National Broadcasting Co., Inc., Chicago, Ill.—Construction permit for a new FM broadcast station to be operated on **46.3 mc.** and coverage of 10,800 square miles. Amended: to change frequency to Channel #55 **(98.9 mc.).**

NEW—KFAB Broadcasting Co., Lincoln, Nebr.—Construction permit for a new FM broadcast station to be operated on Channel #60 **(99.9 mc.)** with coverage of 19,000 square miles.

NEW—Charleston Broadcasting Co., Charleston, W. Va.—Construction permit for a new FM broadcast station to be operated on **43.5 mc.** with coverage of 11,525 square miles. Amended: to specify type of transmitter.

NEW—Washtenaw Broadcasting Co., Ann Arbor, Mich.—Construction permit for a new FM broadcast station to be operated on **46.3 mc.** with coverage of 3,472 square miles. Amended: to change transmitter site from Washtenaw County, Michigan, to near Ann Arbor, Michigan.

NEW—W. A. Underhill and E. S. Underhill, Jr., d/b as The Evening Leader, Corning, N. Y.—Construction permit for a new FM broadcast station to be operated on **49.7 mc.** with coverage of 5,213.7 square miles. Amended: to change studio location.

NEW—National Broadcasting Co., Inc., Denver, Colo.—Construction permit for a new FM broadcast station to be operated on **43.9 mc.** with coverage to be determined. Amended: to change frequency from **43.9 mc.** to Channel #55, **98.9 mc.**

NEW—Old Dominion Broadcasting Corp., Lynchburg, Va. (P.O. 218 Woodland Ave.).—Construction permit for a new FM broadcast station to be operated on a frequency to be assigned by FCC with coverage of 8,830 square miles.

NEW—E. D. Rivers, Valdosta, Ga. (P.O. East Park Avenue).—Construction permit for a new FM broadcast station to be operated on **46.3 mc.** with coverage of 6,720 square miles.

NEW—WJR, The Goodwill Station, Detroit, Mich.—Modification of construction permit for a FM broadcast station. Amended: to change name of applicant to WJR, The Goodwill Station, Inc.

NEW—James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR, High Point, N. C.—Construction permit for a new FM broadcast station to be operated on **45.1 mc.,** coverage of 5,030 square miles. Amended: to change transmitter location.

NEW—Richland, Inc., Mansfield, Ohio (P.O. 144½ Park Avenue West).—Construction permit for a new FM broadcast station to be operated on Channel #56, **99.1 mc.** with coverage of 9,764 square miles.

NEW—Susquehanna Broadcasting Co., York, Pa.—Construction permit for a new FM broadcast station to be operated on **44.5 mc.** with coverage of 3,060 square miles. Amended: to change frequency from **44.5 mc.** to Channel #72, **102.3 mc.** or as assigned and make changes in transmitting equipment and antenna system.

NEW—Stephen R. Rintoul, Stamford, Conn. (P.O. 270 Atlantic Street, Stamford, Conn.).—Construction permit for a new FM broadcast station to be operated on frequency to be selected by Chief Engineer of FCC with coverage of 1,065 square miles.

NEW—Bell Broadcasting Co., Inc., Temple, Texas (P.O. Kyle Hotel Building, 111 North Main Street).—Construction permit for a new FM broadcast station to be operated on Channel #81, **104.1 mc.** with coverage to be determined.

NEW—Johnson Kennedy Radio Corp., Chicago, Ill. (P.O. 230 N. Michigan Avenue).—Construction permit for a new FM broadcast station to be operated on Channel #51, **98.1 mc.** with coverage of 11,970 square miles.

NEW—Sunbury Broadcasting Corp., Sunbury, Pa. (P.O. 1150 North Front Street).—Construction permit for new FM broadcast station to be operated on Channel #62, **100.3 mc.** or other frequency to be assigned by the FCC with coverage of 11,790 square miles.

WABW—Associated Broadcasters, Inc., Indianapolis, Ind.—License to cover construction permit (B4-PH-122, as modified), which authorized a new high frequency FM broadcast station.

TELEVISION APPLICATIONS

NEW—WJR, The Goodwill Station, Detroit, Mich.—Construction permit for a new commercial television broadcast station to be operated on Channel #6 **(96-102 mcs.).** Amended to change name of applicant to WJR, The Goodwill Station, Inc.

W9XMT—P. R. Mallory & Co., Inc., Indianapolis, Ind.—Modification of construction permit (B4-PVB-111) which authorized a new experimental television broadcast station for extension of completion date only from 9-16-45 to 12-15-45.

NEW—WJW, Inc., Cleveland, Ohio (P. O. 1375 Euclid Ave.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4 **(78.84 mc.),** ESR 4,330.

MISCELLANEOUS APPLICATIONS

KVOS—KVOS, Inc., Bellingham, Wash.—Construction permit to increase power from 250 watts to 1 KW, install new transmitter and directional antenna for day and night use, and change transmitter location. Amended re change type of transmitter.

KXA—American Radio Telephone Co., Seattle, Wash.—Voluntary assignment of license to KXA, Inc.

WENH—WJR, The Goodwill Station, Inc., Area of Detroit.—Modification of construction permit (B2-PRY-300, which authorized a change in frequencies, power and equipment) to change corporate name from WJR, The Goodwill Station, to WJR, The Goodwill Station, Inc.

NEW—American Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit recorded programs to all broadcast stations under the control of the Canadian authorities that may be heard consistently in the United States.

WENH—WJR, The Goodwill Station, Inc., Area of Detroit—License to cover construction permit (B2-PRY-300, as modified) which authorized a change in frequencies, power, and equipment, and change in corporate name.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

Henry J. Handelsmand, et al.—Misrepresentation in connection with the sale of so-called "candid cameras" is alleged in a complaint issued against Henry J. Handelsman, Jr., Birdye Handelsmand and William Handelsman, trading as Camera Man, and Henry J. Handelsman, Jr., Inc., all of 139 Clark Street, Chicago. Henry J. Handelsman, Jr., Inc., is an advertising agency that prepares and places advertisements for the cameras sold by the individual respondents. (5386)

STIPULATIONS

During the past week the Commission announced no stipulations.

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Burton Brothers & Company, Inc., 267 Fifth Avenue, New York, engaged in the sale of textile fabrics including one known as "Burton's Irish Poplin," has been ordered to cease and desist from representing in any manner that a domestic product is of foreign origin or manufacture. (5053)

A. Davis & Sons, Inc., and Milton E. Davis and Charles S. Davis, officers of the corporation, 225 West 37th Street, New York, manufacturing and distributing women's coats, suits, and other articles of wearing apparel, have been ordered to cease and desist from violation of the Federal Trade Commission Act and the Wool Products Labeling Act in connection with the sale of their products. (5322)

Anti-Co-Rode Laboratories, 5858 Delmar Blvd., St. Louis, has been ordered to cease and desist from misrepresentations of a product designated "Anti-Co-Rode," advertised and sold by him as an effective treatment or conditioner for automotive storage batteries. (5286)

Frigid Chemical Corp., 420 Main Street, Stroudsburg, Pa., and Howard Y. Hodge, producing and selling an anti-freeze solution for use in automobile radiators designated "Kant Freez," "Frigid" or "Frigid Anti-Freez," have been ordered to cease and desist from misrepresentations concerning their product. (5248)

H. H. Hayssen Company, 103 LeBron Avenue, Montgomery, Ala., selling and distributing certain medicinal preparations designated "Dr. Hayssen's Eureka Goitre Balsam" and "Dr. Hayssen's Eureka Goitre Ointment," has been ordered to cease and desist from misrepresentations of these preparations. (4402)

John B. Stetson Company, Philadelphia, has been ordered to cease and desist from violation of the Robinson-Patman Antidiscrimination Act in connection with the sale of men's hats. (5172)

FTC CASE CLOSED

The Federal Trade Commission has closed without prejudice the case growing out of the complaint issued against The Richter and Phillips Co., Cincinnati, which was charged with misrepresentation in connection with the sale of jewelry, silverware, luggage and giftware.

The order of dismissal states that the respondent company has expressed its intention, in writing, to be bound by the Trade Practice Conference Rules promulgated for the Catalog Jewelry and Giftware Industry on December 23, 1943, and has furnished satisfactory evidence of such intention.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 42, October 19, 1945

BOARD TO MEET

A referendum vote of the Board of Directors has resulted in a decision to hold a Board meeting at Los Angeles, California, on January 3 and 4. This is a regular meeting of the Board and it was the unanimous feeling that industry unity would be served by a meeting of the Board in the west.

NAB 17th District Director William B. Ryan will act as host and make the preliminary arrangements.

DISTRICT MEETINGS PROJECTED

A schedule of District meetings to follow immediately upon the heels of the Board meeting scheduled in Los Angeles, January 3 and 4, is now being worked out. The By-Laws require that District meetings be held in even numbered Districts during 1946 in order that Director's elections may be held.

There are many industry matters to be brought before the membership and these District meetings serve as an excellent clearing house and forum for discussion. Complete plans will be announced shortly.

AIRPORT BILL PASSES

The Federal Aid for Public Airports bill introduced in the House by Congressman Lea (D.-Calif.) passed the House on Thursday (18). The bill, outline of which is contained in previous issues of the REPORTS (see pages 271 and 405), is in substantially the form in which it was introduced. The Senate previously having passed a similar bill introduced by Senator McCarran, the matter now goes to conference committee to iron out the differences between the two bills.

PROGRAM MANAGERS, TREASURY, MEET

(As released by NAB News Bureau)

Radio's part in the Victory Loan Drive was outlined and the industry's full support promised the Treasury Department in a two-day meeting here, October 11-12, Justin Miller, President of the National Association of Broadcasters, has announced.

The entire NAB Program Managers Committee, consisting of an executive committee appointed by the President and chairmen from all of NAB's seventeen districts, appointed by their district directors, met with officials of the Treasury's War Finance Division to go over the Treasury's prepared campaign for radio, audition recordings, discuss their manner of local presentation, and iron out details to insure the most effective broadcasting job for the drive, which is scheduled October 29 to December 8.

Under the chairmanship of Henry W. Slavick, manager of WMC, Memphis, the committee heard Navy Lt. Dave Levy, Chief, Radio Section, War Finance Division; H. Quenton Cox, Broadcast Consultant; Jack Delehanty, Director of Advertising, Press and Radio; and Robert Coyne, National Field Director. Justin Miller, and A. D. Willard, Jr., NAB Executive Vice-President, also spoke to the committee while attending its two-day session. Harold Ryan, until recently NAB President, attended as liaison member from the NAB Board.

District program chairmen plan to convey the results of the meeting to the stations in each district upon returning home.

In the time allotted for committee business, Harold Fair, WHO, Des Moines, last year's chairman, reported that the NAB Board of Directors has asked for complete information in line with the committee's request for a program department at NAB. Fair was appointed chairman of a special committee to draft specific recommendations, aided by Eugene Carr, WHBC, Canton, Ohio; Clarence Menser, NBC, New York; Ralph Hardy, KSL, Salt Lake City; and Douglas Coulter, CBS, New York.

Howard Chamberlain, WLW, Cincinnati, Ohio, was appointed chairman of the Special Program Managers Bulletins committee, to be assisted by Robert Atherton, WMC, Memphis, in scheduling and finding the best writers on subjects that will help program managers do a better programming job.

The FCC rule for identification of electrical transcriptions was discussed. Various examples of conformance to the rule were considered.

The committee expressed satisfaction with the arrangement whereby the War Finance Division of the Treasury Department and the War Advertising Council have taken over temporarily the services in network allocation formerly performed for the industry by the Office of War Information. Some expressed the feeling that scheduling government broadcasts ultimately must be left to each station individually, now that the war is over, as a responsibility of each licensee.

The NAB Standards of Practice, adopted by the Board August 7, were reviewed, and the committee was asked to file any suggestions for further revision with the Code Committee.

The committee discussed National Radio Week, November 4-10, and passed a resolution urging all program managers to prepare programs giving local interpretation to radio's Twenty-Fifth Anniversary.

The full committee list follows: Executive Committee—Chairman, Henry W. Slavick, WMC, Memphis, Tenn.; Eugene Carr, WHBC, Canton, Ohio; Howard R. Chamberlain, WLW, Cincinnati, Ohio; Harold Fair, WHO, Des Moines, Iowa; Ralph W. Hardy, KSL, Salt Lake City, Utah; Elliott Stewart, WIBX, Utica, New York; Clarence L. Menser, NBC, New York, N. Y., and Douglas Coulter, CBS, New York, N. Y. Board Liaison Members—J. Harold Ryan, WWVA, Wheeling, W. Va.; John J. Gillin, Jr., WOW, Omaha, Neb. District Chairmen—Dist. 1, W. Gordon Swan, WBZ, Boston, Mass.; 2, John H. McNeil, WJZ, New York, N. Y.; 3, Edward D. Clery,

(Continued on next page)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

WIBG, Philadelphia, Pa.; 4, Jack Weldon, WDBJ, Roanoke, Va.; 5, Wilton E. Cobb, WMAZ, Macon, Ga.; 6, Robert Atherton, WMC, Memphis, Tenn.; 7, Robert Evans, WSPD, Toledo, Ohio; 8, Dr. Willis F. Dunbar, WKZO, Kalamazoo, Mich.; 9, Maurice P. Owens, WROK, Rockford, Ill.; 10, Eugene T. Flaherty, KSCJ, Sioux City, Iowa; 11, Richard Day, WDGY, Minneapolis, Minn.; 12, Eddie McKeen, KTUL, Tulsa 3, Okla.; 13, Pete Teddlie, WRR, Dallas, Texas; 14, Ralph Hardy, KSL, Salt Lake City, Utah; 15, Glen Shaw, KLX, Oakland, Cal.; 16, Don McNamara, KFI, Los Angeles, Cal., and 17, Ted Cooke, KOIN, Portland, Ore.

FM AREA 1 CHANGES URGED

Proposing alternate allocations for FM stations in New York, CBS on Monday (15) presented to the FCC a plan to equalize FM coverage in the New York metropolitan area.

The plan, unfolded at a scheduled hearing before the Commission for the purpose of giving consideration to objections on the FCC's Area 1 proposed allocations, was supported by NBC and other networks. It calls for a complete reshuffling of the Area 1 setup.

Only minor objections to the plan were voiced, and Chairman Porter stated that it appeared to offer considerable improvement in equalizing the situation for New York network stations, which had objected to the original plan, contending that it favored the independent outlets to their, the networks, detriment.

FCC engineers are examining the plan minutely with a view to expediting an early decision. FCC has expressed a desire to smooth the way for quick FM development.

As a whole, those Area 1 operators who had not opposed the original plan showed no disfavor for the new one, consensus being that the shift would not affect them materially.

The CBS brief was submitted by Joseph H. Ream, vice-president and secretary of CBS. A concurring brief from NBC was signed by Henry W. Ladner, assistant general counsel of that network. William B. Lodge, director of general engineering for CBS, also appeared.

FOOD CONFERENCE COVERED BY NAB

Following through from the United Nations Conference in San Francisco, Dorothy Lewis, NAB Coordinator of Listener Activity, will attend the World Food and Agriculture Organization Conference which opens in Quebec on October 16th. This will witness the first permanent structure to be organized under the United Nations. Official representatives of 38 nations will convene for the purpose of perfecting the constitution and operational machinery. Since the subjects of food, agriculture and nutrition are basic to the peace program, the deliberations and official program for postwar action are of vital importance to all peoples.

Mrs. Lewis will file releases for use by NAB stations and particularly for the members of the Association of Women Directors of 425 stations in 270 cities. In addition, as Coordinator of Listener Activities, she will emcee an inaugural broadcast on October 16th over CBS with the following guests: Secretary Clinton Anderson, Dept. of Agriculture; Ambassador L. B. Pearson, Chairman, Interim Commission of FAO; Sir Girja Bajpai, India, and Mr. Louwes, Netherlands Food Administrator.

FLORIDA BROADCASTERS MEET

The Florida Association of Broadcasters will hold a two-day meeting in Orlando on Oct. 20-21. Sessions will convene at the Colonial Orange Court.

Featured speakers will be J. Leonard Reinsch, managing director of the Cox stations (WHO, WIOD, WSB); Helen Cornelius, Assistant Director of Broadcast Advertising for NAB, and Harold Colee, executive vice-president of the Florida State Chamber of Commerce.

Reinsch, who in his capacity as radio adviser to President Truman accompanied the recent broadcasters' tour of the ETO, will speak on his trip to the European countries. Miss Cornelius will speak on the subject of "Radio Advertising and Selling."

Colee will deliver an address on "The Goal Ahead for Florida."

FM TRANSMITTERS SCARCE

Convening in a joint session with the Canadian Radio Manufacturers Association in Rye, N. Y., on October 10-11 the US-RMA board of directors announced that it had received a report from the Transmitter Division to the effect that few new transmitters will be available for FM for some time to come.

It was revealed that a poll of manufacturers indicated that six manufacturers will start coming up with transmitters in the 250 w-3 kw range in the early spring of 1946, and that three others will be completing 10 kw units later in that year.

NO RADIO SET PRODUCTION YET

Production of household radio sets continues stalled with only a minor trickle of sets going to the trade. Despite several more "optimistic" OPA releases the fact remains that additional relief for parts manufacturers will be required to induce them to fill orders from set manufacturers.

According to set manufacturers, 175,000 persons would be employed inside of ten days if pricing schedules were made satisfactory.

Fact that local jobbers may have floor samples does not mean they have sets for delivery.

LOAN PROMOTION BOOK SENT STATIONS

Treasury's 12-page Victory Loan "Radio Promotion Book" was mailed all stations by NAB last Wednesday (17).

Inside front cover contains messages to the industry from Fred M. Vinson, Secretary of the Treasury, and

(Continued on next page)

Ted R. Gamble, national director, War Finance Division. We are including them here for the record:

By FRED M. VINSON, *Secretary of the Treasury*

The voluntary contribution which the radio industry has made to the war-finance program is a matter of record supported by data compiled by the National Association of Broadcasters.

The Victory Loan is our last organized drive for Americans to loan their government the money needed to pay the costs of war and to finance a good and lasting peace. The Treasury will again need the ingenuity, resourcefulness, and creative talents of the radio industry. We are again depending on your industry to help keep Americans united in their determination to solve the problems of peace as successfully as they accomplished their duties in war.

By TED R. GAMBLE, *National Director, War Finance Division*

The unstinting generosity of American broadcasters is needed once again—to help assure the success of our unfulfilled wartime task: the last loan—the Victorv Loan. The challenging problems in this time of transition compel your valuable assistance.

We have relied repeatedly on your patriotic support. In preceding campaigns, your industry has surpassed its voluntary pledge by its contribution. Our confidence in your eagerness to help bring the Victory Loan message to the American people is based on this magnificent past performance.

The need now is huge. Our sons and brothers—all America—as well as your Nation's Treasury Department, is grateful for your cooperation. "They've finished their job—let's finish ours!"

COMPETITION FOR BOND SALES HONORS

Word received from the field at War Finance Division headquarters indicates that competition in the various states for premier sales honors will be greatly accelerated during the Victory Loan. Top honors go to the state first in E Bond sales in relation to quota.

The first eleven (11) ranking states, on the basis of their rating at the end of the 7th War Loan, are as follows:

Rank	*State*	*Quota Made*
1	Montana	120%
2	Alabama	119%
3	Iowa	119%
4	Wyoming	119%
5	Missisippi	117%
6	Virginia	117%
7	Nebraska	115%
8	North Dakota	114%
9	New Mexico	112%
10	Oklahoma	112%
11	South Dakota	112%

Pennsylvania which made 98% of its quota last time; Wisconsin with 103%; Utah with 104%, and Oregon with 106% have indicated that they are going to give the leaders of the Mighty 7th a tough struggle. Ohio, too, intends to better its past record of 98% of its quota.

Four states made 101% of their quota, last time: Illinois, Indiana, Missouri and New York.

In Wisconsin bond sales leaders are preparing to double their sales effort. A symbol of their intention is a flag to be flown at each county courthouse as soon as quota is reached. A star will be affixed to the flag for every 20% over quota. Stations are urged to investigate the situation among the volunteer sales staff in their territory. It may be that a program or two honoring these men and women would pay dividends.

It is the combination of broadcasting and calls that produces maximum results.

NATIONAL RADIO WEEK

November 4–10

Radio's 25th Anniversary

DESTROY ALL OLD TREASURY ETs

Treasury advised NAB that stations are to destroy all old Treasury records or transcriptions they may have on hand as the Treasury salvage program was discontinued October 15. This same advice applies to transcriptions and records which, in the future, may be forwarded stations—after their use.

Any station which has spent money of its own in returning Treasury transcriptions to RCA since September 15 should notify Arthur Stringer at NAB of the amount. He will handle the matter with the Treasury.

MEMO TO PROGRAM DIRECTORS

This is to advise you that the Treasury will release to you, via all wire services, one or more pertinent statements per day, during the Victory Loan campaign, by an Admiral, General or other high ranking personality.

Whether such statements would be released to broadcast stations simultaneously with newspapers was asked at the recent NAB program managers meeting in Washington. The answer came back in the affirmative by the man who will release the statements.

COBB REPORTS TO 5TH DISTRICT

According to plan, those attending the NAB program managers committee meeting with Treasury Friday (12) are reporting to stations in their districts.

First district bulletin to reach NAB was written by Wilton Cobb, general manager, WMAZ, Macon, of the fifth NAB district. By way of introduction, he wrote:

"At the request of Fred Borton, our fifth District NAB director, I have just represented the district at a meeting of the Program Managers Committee. I mimeograph this report in the interest of time, but I hope you will read it and act upon it. It is about THE VICTORY LOAN CAMPAIGN.

"I went to Washington with a lackadaisical attitude about this subject—I return with a belief that we can all use the material the Treasury Department has prepared. All I ask is that you examine the stuff and see if you can't use it to real advantage—from a patriotic angle, and because IT WILL IMPROVE YOUR PROGRAMS.

"A NAB bulletin of October 10 outlines what has, or will be sent you. Instead of treating this as just 'another shipment from Washington' . . ."

KECA, PROGRAMS TO ARMED FORCES

William J. Davidson, program manager, KECA, Los Angeles, has completed and shipped the six (6) "Music

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from Your Hometown" programs requested by Armed Forces Radio Service for global broadcast.

There were two programs each of: "Spade Colley and His Distinctively Styled Western Music," from the Riverside Rancho in Los Angeles; Freddie Martin, from the Cocoanut Grove of the Ambassador Hotel; Harry James, from the popular Casino Gardens.

WGAR PROGRAMS TO ARMED FORCES

David Baylor, program director, WGAR, Cleveland, reports first shipment of "Music from Your Hometown" to Armed Forces Radio Service. These two programs were George Duffy and his orchestra from the Statler Terrace Room, both long familiar to Cleveland soldiers overseas.

Balance of programs will be done with "our Range Riders group . . . they do a very fine job on western music and we think they will provide exactly what you want," concluded Mr. Baylor.

VETERAN ENTERTAINMENT CONTINUED

Portland, Ore.—Designed to "stimulate interest in the necessity of continuing to provide entertainment for injured veterans in hospitals," station KGW has prepared and distributed attractive pledge cards in an appeal for public cooperation.

Signers of the cards pledge themselves to *Remember Our Men:* "In recognition of the fact that, although Peace has come, the war may never be over for many of our service men and women . . . I shall continue to entertain hospitalized veterans whenever and wherever I can."

The cards are made up in two sections, one of which is mailed to the station for reference files, the other, in the form of a certificate of cooperation, is retained by the person pledging support.

STATION COMBATS DELINQUENCY

Dayton, O.—WHIO has initiated a new series of programs on the juvenile delinquency problem. The broadcasts are in dramatic form and are heard every Saturday at 5:15 p.m. Several weeks were spent in research with the Juvenile Court records, the Board of Education, welfare workers and city officials, before scripts were prepared by the WHIO Public Service Department.

Every show is based on actual case histories, although fictitious characters are used. The series, titled "Inside Out," is designed to acquaint the Dayton area with the juvenile delinquency problems that exist, and what the community can do to help this situation.

SAFETY PROGRAM IDEA

In a recent issue of the REPORTS (see page 416) the manner in which the Westinghouse Radio Stations, Inc., were cooperating in a safety campaign was outlined through the publication of a letter from Lee B. Wailes, Manager of the stations. As a result, many stations have sent in ideas which they have developed to aid in safety work. Following is a letter received from R. W. Wassenberg, Program Director of KROW, which contains some interesting suggestions:

"We at KROW have noted with interest the comments in the NAB REPORTS about traffic and safety programs and we thought you would be interested in our cooperative activity with the East Bay Chapter of the National Safety Council. Incidentally, KROW's General Manager, Philip G. Lasky is radio chairman of the organization, and takes a very active part in every safety promotion.

"At the present time, and for more than a few months, we have carried a weekly program, 'Man Alive,' on Monday nights from 9:45-10:00 p. m. We think we have found a way to sell the safety angle interestingly and entertainingly.

"In contrast to the customary interview with the usual local celebrity and the associated small listening audience, we dreamed up a format for the National Safety Council that runs something like this:

"(1) Music by a name band, Andre Kostelanetz, etc.
(2) Entertainment by a name vocalist, Dennis Day, et al.
(3) A recap of the accident story of the week as read in the Oakland *Post-Enquirer* (credit line given).
(4) Brief 1-2 minute blurb by local, well-known personage (industrialist, city father, etc.).
(5) Dramatic punch-line at the close followed by theme.

"We supply the musical portion of the show, the format, the voices and the production. The local East Bay chapter of the National Safety Council provides the information and contacts the local personalities. Total talk (well spaced), about 6 minutes of the 14:30, and the music and sound effects are appropriate to the story.

"It is a very simple format, and, by all reports, very effective. There is nothing about the show that is too involved for any station with a fair music library and an extra typewriter could not produce. Best of all, it not only fills a public service need, but it adds entertainment value to a program schedule.

"We think it's a good show. They tell us it sells the safety idea. The title 'Man Alive' and the show itself is an original KROW plan. If you need any further information, details will follow."

KGW SCHOOL PROGRAM

Portland, Ore.—In 1931, fourteen years ago, station KGW inaugurated an elementary schools radio educational program with one fifteen-minute show each week, broadcast directly from KGW.

Two years later, at the request of the school board, the programs jumped to three each week, and arrangements were completed to transmit them by direct wire to Benson High School's KBPS, where they were, and still are, broadcast to Portland's sixty elementary schools. By 1935 KGW was producing five fifteen-minute programs each week during the school year. Last year a Thursday afternoon program was added to the curriculum, making six shows written and produced each school week by the KGW staff.

During the entire fourteen years, KGW has presented the programs entirely as a public service to Oregon's schools. Each broadcast is written with meticulous attention to accuracy, detail, and the age level of the listening group.

Some idea of the program versatility may be gained by examining a typical-week schedule . . . dramatizing Capt. Robert Gray, Magellan, A Trip to Washington Park, The Aztec Legend of the Eagle and Serpent, The Community's Health, and current events.

LT. JOE MILLER GETS NEW ASSIGNMENT

Lt. Joseph L. Miller, USNR, former NAB labor relations director, has been named special assistant to Vice Admiral Benjamin Moreell, Chief of the Bureau of Yards and Docks, to handle labor relations of refineries now being operated by the Navy under Presidential orders.

The refineries were recently taken over due to the strike situation in that industry. Admiral Moreell is in charge of refining operations for the Navy.

Lt. Miller's regular assignment is with the Navy's Labor Relations Section.

ETHRIDGE TO BALKANS

Mark Etheridge, WHAS general manager, and NAB president in 1938, has been appointed by Secretary of State

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Byrnes as special envoy to study conditions in the Balkans.

In addition to his position as chief executive of WHAS, Mr. Etheridge is vice-president and publisher of the Louisville *Courier Journal* and *Times*.

ORDER YOUR RADIO WEEK LABELS

NAB recently mailed to members a few sheets of small gummed labels featuring National Radio Week—Nov. 4-10. This was only a "token" supply, as NAB could not print them for the entire industry.

Will you please consider ordering a supply from your own printer for use in your mail room between now and National Radio Week—the labels can be attached to letters, envelopes—any type of mailing which you have—through November 10.

The more impressions you register on the public, the more successful will be National Radio Week, in recognition of radio's twenty-five years of public service.

Please furnish your mailing room with a supply of these labels, with instructions that they be affixed to all mailings. Cooperation of the industry on this one project alone will convey the story of Radio's 25th Anniversary to millions.

BOWMAN BACK AT KOIN

Portland, Ore.—KOIN President, C. W. Myers, announces that Marc Bowman who for almost two years was with the Public Relations Department of the American Red Cross stationed in London, has returned to his home here and has rejoined the staff of KOIN. Prior to his departure for the ETO, Bowman was KOIN Continuity Chief. He is now to hold a new post, that of Promotion Director.

During his first year with the American Red Cross overseas, Bowman was Chief of the Radio Section. In that position he was instrumental in planning and preparing such familiar programs as "The American Eagle in Britain" which was featured on one or another of the American networks for more than four years. Produced by BBC, this program has brought the voices of hundreds of thousands of Yank servicemen into their homes from London.

CELLER EXPLAINS BILL

Representative Emanuel Celler on Monday (15) introduced into the Congressional Record under Extension of Remarks, an explanation of his purpose in introducing a bill to revise the Federal Communications Act (see NAB Reports page 425). The full text of Mr. Celler's remarks follows:

"Mr. Speaker, I have this day introduced a bill to amend the Communications Act of 1934.

"The bill is designed to reenforce the basic congressional intent expressed as far back as 1925. The ether is a public medium and its use must be for public benefit. The use of radio channels is justified only if there is public benefit. The dominant element for consideration in the radio field is, and always will be the great body of the listening public, millions in number, country-wide in distribution.

"Today there are more than 900 standard broadcasting stations, more than 600 of which are affiliated with one or more of the four national networks. These more than 600 stations utilize 95 percent of the nighttime broadcasting power and over 55 percent of the day broadcasting time is taken by national networks programs. By 1943 over $307,000,000 was grossed from time sales of all broadcasters in this country. The cost of a single hour of full network coverage runs as high as $25,000. In 1943, 144 advertisers provided 97.2 percent of the national network's revenue.

"We will do well to consider the questions carefully whether the air waves which are public property and only licensed to operators in the public interest shall be permitted to become merely an adjunct of big business, and whether it is socially wise to permit the neglect of regional interests to continue.

"Reading carefully the opinion of the FCC in the matter of the transfer of the control of the Crosley Corp. to the Aviation Corp., one can easily see that the FCC felt it had not acted in a manner consonant with the public interest in permitting the transfer to the Aviation Corp. The majority opinion based its decision on a lack of congressional authority to do otherwise.

"Today FM makes possible the development of thousands of new stations. The excessive use of these and existing stations for commercial advertising purposes must be curbed so that in fair measure the listening public can find in radio a greater intellectual maturity. Programs of cultural and educational value, particularly regional needs, have been insufficiently developed. Radio is in danger of being consumed by the profit fever. It must be remembered that operators of radio stations are licensed and thus hold the position of trustees for the benefit of the public at large. For example, the educational program Invitation to Learning was carried by only 39 of the 136 stations which could have had use of it; National Radio Pulpit was carried by 60 stations and rejected by 79; the Chicago Roundtable was rejected by 84 out of 139 stations and Labor for Victory, the only labor program carried on any of the major networks was rejected by 104 out of 139 stations. For these reasons, I have included in the bill the following:

" 'The Commission shall fix percentages of time (commonly known as sustaining time) to be allocated during each part of the broadcast day by each class of broadcast stations or by each broadcast station, without charge, for particular types or kinds of nonprofit radio programs or for particular types or kinds of nonprofit activities; and such percentages of sustaining time shall be set forth as conditions of operation in each broadcast station license.'

"Another phase of the bill concerns itself with excessive prices paid in the transfer of stations. I know of one case where a station was sold for 1,543 times its net income. Stations with assets of about $50,000 have been sold for $500,000. Such uncontrolled prices make it possible for only those of great wealth to operate stations and tend to keep the control of radio in the hands of a select few. It is an unbalanced and unhealthy condition for so vital a medium as radio which has tremendous force in the molding of public opinion and public taste. The bill I have offered, therefore, includes the following:

" 'No transfer or assignment shall be approved in which the total consideration to be paid for the broadcast property, tangible and intangible, exceeds the fair value of such property: *Provided*, That such fair value shall not exceed double the depreciated cost value of the tangible broadcast property transferred or assigned.'

"Application for renewal licenses are made every 3 years. Too often the renewals are granted automatically. There should be a reexamination for each renewal application to determine whether the public interest is best being served by its present operators. Each renewal should be subjected to rigid investigation and any citizen who wishes to do so should be allowed to raise his voice in opposition or register his complaint. Furthermore, any person or entity desiring to function on the wave-length involved should have the right to appear and present his case. If he can demonstrate his ability to operate the station to a greater degree in the public interest, renewal of the application to the current licensee should be refused and the privilege granted to the new applicant. I have included such requirement in the bill. Such requirement would galvanize all station owners into conducting and supervising the activities of their station in a manner that will be consistent with the public medium philosophy indicated by Congress when it carefully considered the Communications Act of 1934.

"The bill further includes an amendment to section 303 by adding a new subsection whereby the FCC shall 'prescribe the form of any and all accounts, records, and memoranda to be kept by broadcast stations. Any and all financial reports filed with the Commission shall be open for public inspection.' The first sentence is identical with the provisions applicable to the telephone and telegraph companies. Certainly what applies to these

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public utilities should likewise apply to radio. The Commission presently does not require how and in what manner the reports shall be filled out. Some of the accounts now filed would not be acceptable under an approved system of accounting. The reports filed now are simply received by the Commission with no comments except that the Commission publishes aggregated accounts, summarizing types of broadcast, power used, and so forth. But the report published by the Commission is not designed to cover any individual station. The public is entitled to know how much the trustees of public property are making. The air waves and radio channels are public property and only loaned to private entities for a specific purpose and for a specific time.

"I have a good word to say for the various chains and other independent stations. They have done a good job. They have made excellent progress, but I am sure that the operators themselves will be the first to deny that they have reached the ultimate in the improving of radio broadcast. I want to give praise where praise is due. Constructive criticism should not be deemed baneful. Both radio operators and the public can profit from the passage of the bill I have offered.

"It most certainly is not my purpose to advocate in any way government ownership of radio. I want no truck with such government ownership. The best example of such government ownership is the British Broadcasting Company, and American radio most emphatically does not suffer by comparison. The sprightliness, the ingenuity, the variety, and inventiveness of American broadcasts cannot be matched by BBC. I believe that radio operation belongs in private industry, but I likewise believe that private operation must be cognizant of its failings and help in remedying them."

THE VICTORY LOAN
and
NATIONAL RADIO WEEK

National Radio Week, November 4-10, is the second week of the Victory Loan Drive. The radio industry's anniversary celebration is largely one of Victory—twenty-five years climaxed by Victory in a World War which found the broadcasters of America contributing mightily to the success of our armed forces on all fronts, while reporting the news vividly and accurately from every sector.

What could be more appropriate during National Radio Week than a Victory Bond Day on your station—or a series of Victory Bond promotions tied in with radio's Twenty-fifth Anniversary?

Lt. (jg) David Levy, USNR, Chief, Radio Section, War Finance Division of the Treasury Department, on October 5 wrote to all State Publicity Chairmen and 4,072 City and County Chairmen, urging that the State War Finance Chairman or someone in comparable capacity appear over local radio stations during National Radio Week "to deliver a brief tribute to the magnificent job which they (the stations) have done in helping to win the war, and specifically in helping to successfully promote the War Finance program through its War Loans."

Plan a Victory Loan promotion for National Radio Week! Give a demonstration of radio's public service during the very observance of our anniversary!

RMA National Radio Week Promotional Material Mailed

This week the Radio Manufacturers Association is mailing to all radio dealers in the United States complete packets of material in promotion of National Radio Week, as previously described in Special Twenty-fifth Anniversary Bulletin No. 20.

NAB has obtained a supply of the RMA booklets and is sending two to each station, along with a streamer for window or studio use. Station managers and promotion men are urged to examine the booklet carefully for suggested methods of cooperation with set dealers in local communities.

Representatives of the RMA Advertising Committee met with the NAB Public Relations Executive Committee in New York on October 18 to discuss all angles of set dealer and manufacturer cooperation, including the presentation to the industry of a statuette in commemoration of radio's quarter century of public service, duplicates in plaque form to go to individual stations and networks.

Justin Miller Speaks November 10 for Citizens Radio Anniversary Committee

Justin Miller, NAB President, has accepted an invitation extended by the Citizens Radio Anniversary Committee to be one of the principal speakers at a testimonial luncheon planned for Saturday, November 10, closing day of National Radio Week, at the Roosevelt Hotel, New York City.

Luella S. Laudin, Chairman of the Citizens Radio Anniversary Committee, also Radio Chairman of the General Federation of Women's Clubs and the National Council of Women of the United States, reports that plans for the luncheon are progressing rapidly, with numerous organizations joining the original sponsors of the idea for National Radio Week.

The original sponsors are: American Legion Auxiliary, American Women's Voluntary Services, Inc., Association of Junior Leagues of America, General Federation of Women's Clubs, Girl Scouts, National Board of the Young Women's Christian Associations, National Council of Women of the U. S., Inc., National Council of Y.M.C.A.'s, and National Federation of Business and Professional Women's Clubs, Inc.

NAB Program Managers Urge Station Activity November 4-10

The NAB Program Managers Committee, meeting in Washington October 11-12, passed the following resolution:

WHEREAS, National Radio Week, November 4-10, has been proclaimed in celebration of the 25th Anniversary of Radio; and

WHEREAS, It is the duty and privilege of everyone in broadcasting to help increase the public's understanding and appreciation of the American system of broadcasting; and

WHEREAS, Special radio programs offer the greatest opportunity to reach the public with radio's anniversary story:

THEREFORE, BE IT RESOLVED, That all program managers should plan full participation in National Radio Week, prepare programs giving local interpretation to the Anniversary theme as outlined in NAB Special 25th Anniversary Bulletins, and otherwise devote the talent and facilities of the station to the success of radio's Twenty-fifth Anniversary Celebration.

AWD Issues Bulletin with National Radio Week Ideas

The October issue of the "Beam," official publication of the Association of Women Directors of NAB, mailed with this week's REPORTS, contains a special insert outlining AWD plans for women's programs and related activities on Monday, November 5, in celebration of Radio's Twenty-fifth Anniversary.

Alma Kitchell, AWD President, addresses the 700 members of the Association on 425 stations in 270 key cities of America with a "proclamation" for the day and a series of suggestions for programming and promoting the Twenty-fifth Anniversary theme.

Home and family approaches are emphasized for the

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women broadcasters, including fashions then and now, wedding anniversaries, habits and customs twenty-five years ago and today.

NAB Public Relations Committee Completes National Radio Week Plans

As this Bulletin goes to press, the NAB Public Relations Committee is meeting in New York City with representatives of the major networks and the Radio Manufacturers Association to "wrap up" plans for National Radio Week. Committee members are: John F. Patt, WGAR; Michael R. Hana, WHCU; Phil Hoffman, KRNT; Richard H. Mason, WPTF; James H. Moore, WSLS; W. Walter Tison, WFLA; Lewis Allen Weiss, KHJ; George Crandall, CBS; Harry C. Kopf, NBC. NAB Board Liaison members: G. Richard Shafto, WIS; James D. Shouse, WLW; and Matthew H. Bonebrake, KOCY. Justin Miller, A. D. Willard, Jr., and Willard D. Egolf are attending from NAB Washington headquarters.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, October 22. It is subject to change.

Monday, October 22

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license: **590 kc.**, 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license; **1510 kc.**, 10 KW, unlimited, DA-night.

Federal Communications Commission Action

APPLICATIONS GRANTED

KRNM—Hoyt Houck, Robert D. Houck, Walter G. Russell and Lonnie J. Preston, d/b as Tucumcari Broadcasting Co., Tucumcari, N. Mex.—Granted modification of license to change hours of operation from specified to unlimited time, on frequency **1400 kc.**, 250 watts power.

WGNB—WGN, Inc., Chicago, Ill.—Granted request for waiver of section 3.261 of the Commission's Rules relating to time of operation for FM stations, for the period ending November 1, 1945.

Raytheon Manufacturing Co., Chicago, Ill.—Granted construction permit for new experimental television broadcast station; frequencies that may be assigned by the Commission's Chief Engineer from time to time; power 5 KW peak visual and oral. Applicant proposes to develop equipment to transmit and receive high quality color television together with the associated sound.

WQXQ—Interstate Broadcasting Co., Inc., New York City—Granted request to operate FM station WQXQ only one hour rather than three hours between 6 a. m. and 6 p. m. for a period ending no later than December 31, 1945. In the meantime, the station will continue to broadcast in accordance with its present operating schedule of seven hours daily.

Augusta Broadcasting Co., Charleston, S. C.—Granted motion to dismiss without prejudice application for construction permit for new standard broadcast station. (Docket 6708)

KOIN—KOIN, Inc., Portland, Ore.—Granted motion for leave to amend application for construction permit so as to request change in operating power from 25 to 50 KW on **660 kc.**, unlimited time, and to use directional antenna day and night, instead of nighttime only; accepted amendment filed simultaneously with motion. (Docket 6736)

George H. Thomas, et al, d/b as New Iberia Broadcasting Co., New Iberia, La.—Granted motion for leave to amend application for construction permit for new standard broadcast station, so as to supply up-to-date information concerning the financial qualifications of each of the partners, the antenna tower applicants expect to install, changes in estimated cost, and data concerning the transmitter equipment; accepted amendment filed simultaneously with motion. (Docket 6766)

DESIGNATED FOR HEARING

WNLC—Thames Broadcasting Corp., New London, Conn.—Designated for hearing application to install a synchronous amplifier at 17 Broadway, Norwich, Conn., to be operated on **1490 kc.**, 250 watts power, unlimited time, synchronized with station WNLC. (B1-P-3874).

WRAW—Raymond A. Gaul and Harold C. Landis (Transferors). WGAL, Inc., and Keystone Broadcasting Corp. (Transferees), Reading Broadcasting Co. (Licensee), Reading, Pa.—Designated for hearing application for consent to voluntary transfer of control of Reading Broadcasting Co., licensee of Station WRAW, from Raymond A. Gaul and Harold O. Landis, to WGAL, Inc. and Keystone Broadcasting Corp.

DOCKET CASE

The Commission has announced adoption of a proposed decision (B-224) to grant the application for renewal of license to Radio Industries Broadcasting Co., owner of WCAP, Asbury Park, N. J.

The decision dismisses the application of WCAP to share the 1310 kilocycle frequency with only WCAM, Camden, N. J., instead of with both WCAM and WTNJ, Trenton. However, the decision permits WCAP to file a separate application for this time-sharing arrangement.

The application of The City of Camden, owner of WCAM, Camden, N. J., was denied, without prejudice, however, to the City of Camden filing a new application for a construction permit and license to operate on 1310 kilocycles sharing time with WCAP, providing it is affirmatively shown that the City of Camden would have the exclusive use and control of the station and that no further effect would be given to the agreements here declared to be illegal (cf. Commission's decision in re applications of Buffalo Broadcasting Corp. (Stations WKBW and WGR), adopted September 12, 1945, and in re application of Georgia School of Technology, (WGST), adopted September 19, 1945.) The application of WCAM for modification of license to share with WCAP the time now used on 1310 kilocycles by WTNJ, was denied.

The application of WOAX, Inc., owner of station WTNJ, Trenton, N. J., for renewal of license and for modification of license requesting unlimited time on 1310 kilocycles and assignment to WCAM and WCAP of frequency 1260 kilocycles, were denied.

These stations are all licensed to operate on frequency 1310 with 500 watts power, on a time-sharing basis.

MISCELLANEOUS

Jere N. Moore, Milledgeville, Ga.—Granted construction permit for a new station to operate on **1450 kc.**, with power of 250 watts, unlimited time. (B3-P-3883).

Norwich Broadcasting Co., a partnership composed of H. Ross Perkins and J. Eric Williams, Norwich, Conn.—Granted construction permit for a new station to oper-

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ate on **1240 kc.**, with power of 250 watts, unlimited time. (B1-P-3870).

Centennial Broadcasting Co., Portland, Maine.—Adopted order granting application and petition for construction permit authorizing a new station to operate on **1450 kc.** with 250 watts power, unlimited time, subject to the filing within 60 days hereof, of an application for modification of permit for the purpose of specifying the transmitter and antenna site, and subject further to the condition that approved frequency and modulation monitors will be installed as soon as available, and dismissed the application of Northeastern Radio and Television Corp., for identical facilities. (B1-P-3634; B1-P-3637; B-220).

WKBH—WKBH, Inc., La Cross, Wis.—Granted construction permit to increase power from 1 to 5 KW, install new transmitter and DA for night use, and change transmitter location. (B4-P-3749).

KMOX—Columbia Broadcasting System, Inc., St. Louis, Mo.—Granted construction permit to install new transmitter and antenna and change transmitter location. (B4-P-3882).

KFAB—KFAB Broadcasting Co., Lincoln, Neb.—Granted petition for reinstatement, leave to amend and application for construction permit to move transmitter and studio of KFAB from Lincoln to Omaha, Neb., increase in power from 10 to 50 KW, installation of new transmitter and make changes in DA for night use. (B4-P-1736).

KTBC—Claudia T. Johnson, Austin, Texas—Granted construction permit to increase power from 250 watts night, 1 KW-LS to 1 KW night, 5 KW-LS, unlimited time, employing directional antenna.

Birney Imes, Jr., Meridian, Miss.—Adopted order granted construction permit for new station to operate on **1240 kc.**, 250 watts, unlimited time. (Docket 6596).

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, No. Dak.—Granted construction permit to increase power to 5 KW. day and night, install new transmitter and DA, and move transmitter and studio. Applicant is to be advised the grant is not to be understood to determine the question of applicability of Sec. 3.35 to this station and station KVOX at Moorhead, Minn.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Adopted order granting application of KMLB for change in frequency from **1230** to **1440 kc.**, and increase in power from 250 watts to 1 KW., and installation of directional antenna for nighttime use; (B3-P-2939; B-149); and ordered that a construction permit be issued to KNOE, Monroe, La., for change in frequency from **1450** to **1230 kc.** in accordance with its agreement.

Norwich Broadcasting Co., a partnership composed of H. Ross Perkins and J. Eric Williams, Norwich, Coun.—Adopted an order setting aside grant of October 9, 1945, of application for new station to operate on **1240 kc.** with 250 watts power, unlimited time, because of possible conflict with application filed prior to October 8, 1945.

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah.—Granted motion for waiver of Section 1.382(b) of the Commission's Rules, and accepted written appearance in re Docket No. 6759.

The Constitution Broadcasting Co., Atlanta, Ga.—Granted petition to dismiss without prejudice application for construction permit for new station. (Docket 6075)

Fred Weber, et al., d/b as Texas Broadcasters, Houston, Texas—Granted petition for leave to amend application for construction permit for new station; accepted amendment simultaneously filed with petition; and removed application for hearing docket. (Docket 6724)

KWPT—Kingsport Broadcasting Co., Inc., Kingsport, Tenn.—Granted motion for leave to amend application for construction permit, and accepted amendment submitted simultaneously with motion. (Docket 6249)

KHQ-KGA—Louis Wasmer, Inc., Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing in re applications for renewal of licenses of Stations KHQ and KGA, and continued hearing to November 21, 1945. (Dockets 6612 and 6613)

Fred O. Grimwood, Bloomington, Ind.—Granted motion for continuance of hearing on application for construction permit for new station, and continued hearing to December 17, 1945. (Docket 6753)

O. E. Richardson, et al., d/b as Voice of Marion, Marion, Ind.—Continued hearing in re application for construction permit for new station to November 19, 1945. (Docket 6773)

APPLICATIONS FILED AT FCC

620 Kilocycles

WROL—S. E. Adcock, tr/as Stuart Broadcasting Co., Knoxville, Tenn.—Construction permit to increase power from 1 KW. day and 500 watts night to 5 KW day and night, make changes in transmitting equipment and directional antenna for night use. Amended: re changes in directional antenna to be used day and night.

640 Kilocycles

NEW—Mike Benton, d/b as General Broadcasting Co., Atlanta, Ga.—Construction permit for a new standard broadcasting station to be operated on 640 kilocycles, power of 1 KW. and limited hours of operation using directional antenna from local sunset to sunset at Los Angeles. Amended: re change in type of transmitter.

670 Kilocycles

NEW—United Broadcasting Co., Inc., Silver Spring, Md. (P. O. c/o Richard Eaton, Pres., 2900 Tilden St., N. W., Washington, D. C.)—Construction permit for a new standard broadcast station to be operated on 670 kilocycles, power of 1 KW. and limited hours of operation.

860 Kilocycles

NEW—Frontier Broadcasting Co., Inc., Austin, Texas—Construction permit to change frequency from **1490 kc.**, to **860 kc.**, increase power from 250 watts day and night to 5 KW. day and 1 KW. night, install new transmitter and directional antenna for night use and change transmitter location.

910 Kilocycles

NEW—Howard W. Davis, McAllen, Texas—Construction permit for a new standard broadcast station to be operated on **910 kc.**, power of 1 KW. and unlimited hours of operation using directional antenna at night. Amended: re changes in transmitting equipment.

930 Kilocycles

KVAN—Vancouver Radio Corp., Vancouver, Wash.—Construction permit to change frequency from **910 kc.** to **930 kc.**, power and hours of operation from 500 watts daytime to 500 watts unlimited time, install directional antenna for day and night use and change transmitter location. Amended: to change requested power to 1 KW., change type of transmitter, changes in directional antenna system for day and night use and change transmitter location.

960 Kilocycles

NEW—Clyde H. Smith, C. O. Baldwin, Hoyt Honck and Walter G. Russell d/b as Lubbock Broadcasting Co., Lubbock, Texas—Construction permit for a new standard broadcast Station to be operated on **960 kc.**, power of 1 KW. and daytime hours of operation. Amended: to change name of applicant to Lubbock Broadcasting Company, make changes in transmitting equipment and antenna.

980 Kilocycles

NEW—Ohio-Michigan Broadcasting Corporation, Toledo, Ohio. (P. O. 542 Nicholas Bldg.)—Construction permit for a new standard broadcast station to be operated on **980 kc.**, power of 5 KW.—Directional antenna night and unlimited hours of operation.

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1030 Kilocycles

NEW—Fred Jones and Mary Eddy Jones d/b as Fred Jones Broadcasting Co., Tulsa, Okla.—Construction permit for a new standard broadcast station to be operated on **1030 kc.**, power of 50 KW. and unlimited hours of operation using directional antenna at night. Amended: re changes in transmitting equipment.

1110 Kilocycles

NEW—Bay City Broadcasting Co., Ltd., a partnership composed of J. A. Clements and T. C. Dodd, Bay City, Texas—Construction permit for a new standard broadcast station to be operated on **1110 kc.**, power of 1 KW. and unlimited hours of operation. Amended: to add name of John George Long to partnership and omit Ltd. from trade name.

1230 Kilocycles

NEW—Bruce Bartley and F. L. Pruitt d/b as Bremerton Broadcast Co., Bremerton, Wash. (P. O. 1130 Henry Bldg., Seattle, Wash.)—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts and unlimited hours of operation.

1240 Kilocycles

NEW—Rochester Broadcasting Corp., Rochester, N. Y.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation. Amended re corporate structure.

NEW—Gus Zarharis and Penelope Zaharis d/b as Chemical City Broadcasting Co., Charleston, W. Va.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation. Amended: re change in transmitting equipment.

1250 Kilocycles

NEW—Courier Broadcasting Service, Inc., Birmingham, Ala.—Construction permit for a new standard broadcast station to be operated on **1250 kc.**, power of 250 watts and unlimited daytime hours of operation. Amended: to change frequency to **900 kc.**, power to 1 KW., change type of transmitter, changes in antenna, and change transmitter and studio locations.

1270 Kilocycles

NEW—Peoples Broadcasting Co., Lancaster, Penna. (P. O. c/o F. H. Altdoerffer, R. D. 3)—Construction permit for a new standard broadcast station to be operated on **1270 kc.**, power of 1 KW. and daytime hours of operation.

1300 Kilocycles

NEW—Cleveland Broadcasting Incorporated, Cleveland, Ohio. (P. O. 1708 Union Commerce Bldg.)—Construction permit for a new standard broadcast station to be operated on **1300 kc.**, power of 5 KW.—Directional antenna and unlimited hours of operation.

NEW—Walter A. Graham, Tifton, Georgia (P. O. Texas Co.)—Construction permit for a new standard broadcast station to be operated on **1300 kc.**, power of 250 watts and unlimited hours of operation.

1390 Kilocycles

NEW—Frank R. Gibson, Lake Charles, La.—Construction permit for a new standard broadcast station to be operated on **1390 kc.**, power of 1 KW., unlimited hours of operation using directional antenna day and night. Amended to change frequency to **1580 kc.**, make changes in directional antenna and change transmitter location.

NEW—Old Dominion Broadcasting Corp., Lynchburg, Va.—Construction permit for a new standard broadcast station to be operated on **1390 kc.**, power of 1 KW. and unlimited hours of operation using directional antenna. Amended: re corporate structure.

1400 Kilocycles

NEW—A. Frank Katzentine, Orlando, Fla.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation. Amended: to change requested frequency to **1420 kc.**, power to 5 KW. day and night, install directional antenna for night use, change type of transmitter and change transmitter location to a specified site.

1410 Kilocycles

NEW—Frank Mitchell Farris, Jr., Nashville, Tenn. (P. O. Third Nat'l Bank Bldg., Cor. 4th Ave. & Church St.)—Construction permit for a new standard broadcast station to be operated on **1410 kc.**, power of 1 KW., unlimited hours of operation using directional antenna night and day.

1450 Kilocycles

NEW—Coast Ventura Company, Ventura, Calif.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: re change in corporate structure, change in type of transmitter and change of antenna.

NEW—KVOM, Inc., Marshall, Texas—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: re changes in corporate structure, antenna and change studio site.

1470 Kilocycles

KRBC—Reporter Broadcasting Co., Abilene, Texas—Construction permit to install new transmitter, change frequency from **1450** to **1470 kc.**, increase power from 250 watts to 1 KW. and install directional antenna for night use. Amended: to change requested power to 1 KW night and 5 KW days, change type of transmitter, changes in directional antenna for night use and change transmitter location.

WSAN—Lehigh Valley Broadcasting Co., Allentown, Pa.—Construction permit to increase power from 500 watts to 5 KW, install new transmitter and directional antenna for night use.

1490 Kilocycles

NEW—Gulf Broadcasting Co., Inc., Mobile, Ala.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation. Amended: to change frequency to **1340 kc.** and changes in transmitting equipment.

NEW—Marietta Broadcasting Co., Marietta, Ohio—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter and change transmitter location.

1550 Kilocycles

NEW—Commodore Broadcasting, Inc., Springfield, Ill.—Construction permit for a new standard broadcast station to be operated on **1550 kc.**, power of 250 watts and unlimited hours of operation. Amended: to change name of applicant to Radio Springfield, Inc.

1560 Kilocycles

NEW—Mid-State Broadcasting Co., Peoria, Ill.—Construction permit for a new standard broadcast station to be operated on **1560 kc.**, power of 1 KW and unlimited hours of operation. Amended: re change in type of transmitter.

FM APPLICATIONS

NEW—Telegraph Herald, Dubuque, Iowa—Construction permit for a new FM broadcast station to be operated on **46.5 mc.**, coverage of 8,060 square miles. Amended:

(Continued on next page)

to change frequency to **99.5 mc.**, coverage to 24,316 square miles, change type of transmitter, antenna and transmitter location.

NEW—Warner Bros. Broadcasting Corp., Hollywood, Calif. —Construction permit for a new FM broadcast station to be operated on **44.9 mc.**, coverage of 3,118 square miles. Amended: to change frequency to Channel #63 **(100.5 mc.)**, coverage to 3,995 square miles, change type of transmitter and changes in antenna system.

NEW—Joplin Broadcasting Co., Joplin, Mo. (P.O. 6th & Main Sts.)—Construction permit for a new FM broadcast station to be operated on **46.3 mc.** with coverage of 6,100 square miles.

NEW—Hawley Broadcasting Co., Reading, Penna.—Construction permit for a new FM broadcast station to be operated on **46.5 mc.**, with coverage of 4,275 square miles. Amended: change frequency to be selected in **100 mc.** band, change type of transmitter and antenna system.

NEW—Radio Voice of Springfield, Inc., Springfield, Ohio (P. O. 117 W. High St.)—Construction permit for a new FM broadcast station to be operated on Channel #61 **(100.1 mc.)**, with coverage of 6,420 square miles.

NEW—Huntington Broadcasting Corp., Huntington, W. Va. (P. O. 1811 Kite Ave.)—Construction permit for a new FM broadcast station.

NEW—People Broadcasting Co., Lancaster, Penna. (P. O. R. D. #3)—Construction permit for a new FM broadcast station.

NEW—Atlantic Coast Broadcasting Co., Charleston, S. C.—Construction permit for a new FM broadcast station to be operated on **47.7 mc.** with coverage of 6,400 square miles. Amended: to omit request for specific frequency and to specify type of transmitter.

NEW—KRLD Radio Corp., Dallas, Texas—Construction permit for a new FM broadcast station to be operated on **45.7 mc.** with coverage of 20,000 square miles. Amended: to change transmitter location and make changes in antenna.

NEW—Kingsley H. Murphy, Des Moines, Iowa (P. O. 810 Roanoke Bldg., Minneapolis, Minn.)—Construction permit for a new FM broadcast station.

NEW—North Shore Broadcasting Co., Inc., Evanston, Ill. (P. O. 1045 Chestnut Ave., Wilmette, Ill.)—Construction permit for a new FM broadcast station.

NEW—John A. Dyer, Vivian I. Christoph, Elizabeth M. Hinzman, F. A. Ringwald and Wm. F. Moss, d/b as Radio Station WGES, Chicago, Ill. (P. O. 14 N. Western Ave.)—Construction permit for a new FM broadcast station to be operated with coverage of 10,800 square miles.

NEW—Gene T. Dyer, Evelyn M. Dyer, Gene T. Dyer, Jr., Adele Moulds, Louis E. Moulds and Grace V. McNeill, d/b as Radio Station WAIT, Chicago, Ill. (P. O. 360 N. Michigan Ave.)—Construction permit for a new FM broadcast station to be operated with coverage of 10,800 square miles.

NEW—Central Louisiana Broadcasting Corp., Alexandria, La. (P. O. 530 Murray St.)—Construction permit for a new FM broadcast station to be operated on a frequency in the **100 mc.** band with coverage of 1,260 square miles.

WAAW—Bremer Broadcasting Corp., Newark, N. J.—Modification of construction permit (B1-PH-72 which authorized a new FM broadcast station) for move of transmitter and studio and extension of time. Amended: re change type of transmitter and change coverage from 6,200 to 10,000 square miles and change antenna system.

NEW—Cur-Nan Company, Brockton, Mass. (P. O. Room 1362, 10 Post Office Square)—Construction permit for a new FM broadcast station to be operated with coverage of 142 square miles.

NEW—New York Sun Broadcasting Co., Inc., New York, N. Y. (P. O. Room 736, 280 Broadway)—Construction permit for a new FM broadcast station to be operated on **95.3** or **98.9 mc.** with coverage of 9,500 square miles.

NEW—West Virginia Radio Corp., Morgantown, W. Va. (P. O. 446 Spruce St.)—Construction permit for a new FM broadcast station.

NEW—Kanawha Valley Broadcasting Co., Charleston, W. Va. (P. O. Empire Bldg., 208 Dickinson St.)—Construction permit for a new FM broadcast station.

NEW—The Bethlehems' Globe Publishing Co., Bethlehem, Penna. (P. O. 202 W. 4th St.)—Construction permit for a new FM Broadcast station.

NEW—Nevada Broadcasting Co., Las Vegas, Nev.—Construction permit for a new FM broadcast station to be operated on **49.5 mc.**, coverage of 560 square miles. Amended: to change name of applicant to Maxwell Kelch and Laura Belle Kelch, d/b as Nevada Broadcasting Company and make changes in antenna system.

NEW—Lincoln Dellar, Sacramento, Calif. (P. O. 1617-30th St.)—Construction permit for a new FM broadcast station to be operated on Channel #10 **(95.9 mc.)**

NEW—Paul F. McRoy, John H. Searing, Ann E. Searing, a partnership d/b as Southern Illinois Broadcasting Co., Carbondale, Ill. (P. O. 211 W. Main St.)—Construction permit for a new FM broadcast station to be operated with coverage of 6,506 square miles.

Kingsley H. Murphy, Des Moines, Iowa (P. O. 810 Roanoke Bldg.)—Construction permit for a new FM broadcast station.

NEW—West Virginia Radio Corporation, Pittsburgh, Penna. (P. O. 446 Spruce Street, Morgantown, W. Va.)—Construction permit for a new FM broadcast station.

NEW—Carter Publications, Inc., Fort Worth, Texas (P. O. 400 West Seventh Street)—Construction permit for a new FM broadcast station.

NEW—Roy L. Albertson, Buffalo, New York (P. O. 485 Main St.)—Construction permit for a new FM broadcast station to be operated with coverage of 8,800 square miles.

NEW—Independent Merchants Broadcasting Co., Minneapolis, Minn. (P. O. 1730 Hennepin Ave.)—Construction permit for a new FM broadcast station to be operated on Channel #51 **(98.1 mc.)** with coverage of 13,040 square miles.

NEW—The Western Connecticut Broadcasting Co., Stamford, Conn. (P. O. 258 Atlantic St.)—Construction permit for a new FM broadcast station to be operated on a frequency in the **92-108 mc.** band with coverage of 3,933 square miles.

TELEVISION APPLICATIONS

NEW—Warner Bros. broadcasting corp., Hollywood, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #3 **(66-72 mc.)** with ESR of 688. Amended: to change frequency to Channel #5 **(76-82 mc.)**, ESR to 1,050, change type of transmitter and antenna.

W9XFT—Farnsworth Television and Radio Corp., Fort Wayne, Ind.—Construction permit to reinstate construction permit (B4-PVB-112) which authorized construction of a new experimental television broadcast station.

NEW—The Evening Star Broadcasting Company, Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #6, **(82-88 mc.)** and ESR of 1,370. Amended: to change frequency from Channel #6, **82-88 mc.** to Channel #4, **66-72 mc.**

MISCELLANEOUS APPLICATIONS

WEGP—Berks Broadcasting Company, Area of Reading, Pa.—Modification of license to change name of licensee from Berks Broadcasting Company to Reading Broadcasting Company.

WEHZ—Reading Broadcasting Company, Area of Reading, Pa.—Modification of license to change name of licensee from Reading Broadcasting Company to Berks Broadcasting Company.

W1XHR—Harvey Radio Laboratories, Inc., Cambridge, Mass.—Modification of construction permit (B1-PEX-60 for a new developmental broadcast station) for extension of completion date.

W8XGZ—Gus Zaharis, South Charleston, W. Va.—Modification of construction permit (B2-PVB-103 as modified) for change in transmitter location and extension of completion date.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Elmira Steel Co.—A complaint has been issued charging Edward F. Quirke and Sara Quirke, trading as Elmira Steel Co., 185 Montague St., Brooklyn, with misrepresenting the properties and effectiveness of Elmirite, a powdered solvent preparation designed to improve or condition fuel oil. (5387)

Lane Drug Co.—A complaint has been issued charging Lane Drug Co., 397 Phillips Ave., Toledo, with misrepresentation of a vitamin product designated "Calcium Pantothenate Tablets." (5389)

Oxford Products, Inc., trading as Vitamin Guild of America, 2300 Payne Ave., Cleveland, is charged in a complaint with disseminating false advertisements concerning a vitamin preparation designated as Calcium Pantothenate Vitamin Tablets and as Cal-Pan. (5388)

CEASE AND DESIST ORDERS

The Commission issued 40 cease and desist orders last week.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Champion Spark Plug Co., Toledo, Ohio, stipulated that it will cease and desist from representing that Champion Spark Plugs are the only dependable spark plugs. (03298)

Ex-cel-cis Beauty Products Co.—A stipulation to cease and desist from misrepresenting the therapeutic properties of Ex-cel-cis Anti-Acid Granules has been entered into by Ex-cel-cis Beauty Products Co., Inc., 221 South West Temple St., Salt Lake City. Five other corporations which cooperated in the sale and distribution of the preparation also signed the stipulation. They are Ex-cel-cis Products Co. (Utah), Ex-cel-cis Products Co., Inc. (San Francisco), Ex-cel-cis Products Co., Inc. (Los Angeles), Ex-cel-cis Products Co., Inc. (Colorado), and Eastern, Ex-cel-cis Beauty Products Co., Inc., of Chicago. (4108)

Fur-Tex Coat Co., 265 West 37th Street, New York, stipulated that they will cease and desist from misrepresentation in connection with the sale of women's coats designated "Fur-Tex." The coats were made of pile fabric or of materials in which no animal fur or hair was used. (4109)

O. I. Kahn & Co. and as Columbia Umbrella Co., 302 Fifth Ave., New York, stipulated that he will cease and desist from advertising, invoicing, labeling or selling umbrellas, the covers of which are composed in whole or in part of rayon, without disclosing such fact by use of the word "Rayon." (4107)

Poretz Brothers, Inc., 263 West 38th Street, New York, engaged in the manufacture and sale of women's coats made from pile fabrics, entered into a stipulation to cease and desist from using the term "Broadtail" or "Broadtel," or any other word of like connotation, to designate or describe a fabric that is not made from the fur or hair of the animal indicated. (4110)

Stuart Industrial Service, 5220 West Cermak Road, Chicago, stipulated that it will cease and desist from representing by statements such as "your definite insurance against rust," or otherwise, that the product it sells under the name of Rustex No. 2 is an effective and sure preventive of rust under any and all conditions of use; provided, however, that where the product, when used as directed, may be definitely effective against rust in certain cases, specific mention shall be made in direct connection with any such representation of the conditions under which the articles or parts so treated are stored or exposed. (4111)

SWORN IN AT FTC

Hon. Lowell B. Mason, of Illinois, was sworn in as a member of the Federal Trade Commission today. He is a Republican, son of the late William E. Mason, United States Senator from Illinois, and is one of the two Republican members of the 5-man bipartisan Commission.

The oath was administered by Justice James W. Morris of the U. S. District Court for the District of Columbia. The Bible used was carried around Cape Horn to California during the '49 gold rush by the grandfather of the new Commissioner. It was the first induction of a Commissioner in the present Federal Trade Commission Building.

Attending the ceremony was Corporal Lowell B. Mason, Jr., on furlough from a Battle Creek hospital where he has been convalescing from wounds received in the Rhineland-Ruhr campaign. Among the distinguished guests were several members of the Senate and House and other Government executives.

The new Commissioner was graduated in law from Northwestern University in 1914 and a year later was Assistant Corporation Counsel for Chicago. He was a member of the Illinois State Senate from 1922 to 1930 and has a long record as a health administrator, being Chairman of the Public Health Committee of the Illinois State Senate for six years and attorney for the Chicago Health Department and the Chicago Tuberculosis Sanitarium. He is the author of the present Illinois Health Practice Act.

He was General Counsel of the National Industrial Recovery Review Board in 1934 and Counsel for the United States Senate Judiciary Sub-Committee investigating the N.R.A. in 1935.

His home is in Glen Ellyn, Illinois, a suburb of Chicago. He practiced law in Chicago and Washington.

Mr. Mason was nominated by President Truman to fill the unexpired term of Commissioner Charles H. March, Republican, of Minnesota, who died August 28. The nomination was unanimously confirmed by the Senate on October 9.

FTC CASES DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging International Distributing Corp., wholesale liquor dealer, 1119 14th St., N. W., Washington, D. C., with having refused to sell whisky to District of Columbia retail liquor dealers unless they purchased a stipulated quantity of wine, brandy, or both. The complaint alleged that the respondent's "tie-in" sales policy was coercive and oppressive and in violation of the Federal Trade Commission Act.

In dismissing the complaint, the Commission stated:

1. That there is substantial evidence that retail liquor dealers purchased wines and alcoholic beverages other than whisky from the respondent in order to obtain additional quantities of whisky;
2. That the development of the true facts has been hampered by the belief on the part of some dealers that any lack of cooperation with the respondent might result in inability to purchase necessary supplies of whisky; and
3. That the record is not sufficiently clear to show the extent to which coercive measures were used by the respondent to induce retail liquor dealers to purchase alcoholic beverages other than whisky in order to obtain supplies of whisky.

The Commission has also dismissed without prejudice its complaint charging The World Publishing Co., 2231 West 110th St., Cleveland, with misrepresentation in connection with the sale of dictionaries.

Another complaint (4634), in which The World Publishing Co. is a respondent, is pending before the Commission. It also alleges certain misrepresentations in the sale of dictionaries and that the respondents' use of the name "Webster" for their dictionaries is deceptive and misleading.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 43, October 26, 1945

PETRILLO STYMIES FM

James C. Petrillo, President of the American Federation of Musicians, has issued an edict requiring the employment of double the number of musicians whenever an instrumental musical program is released over both AM and FM facilities under common operation.

"The effect of this edict will," said one authority, "be to force the separate programming of FM stations and unquestionably seriously retard FM development. Under the American System of Broadcasting, broadcasters must rely upon commercial revenue to maintain their operations. Sponsors of commercial programs must be assured of a listening audience before they will invest their dollars. The number of FM receivers now in the homes is not enough to justify the investment of advertising dollars on FM stations in any but a very few communities in the nation. The only hope that operators had to build up their FM facilities and encourage the purchase by the public of FM receivers was through feeding programs made possible by their AM operation over their FM facilities. FM is looked upon by broadcasters as another form of aural broadcasting appealing to the same audience, and not a separate and distinct or competitive type of broadcasting to AM.

"Under the Petrillo formula which requires the employment of a separate band, orchestra or other musical group for programs carried over FM facilities, this new type of broadcasting will be relegated to the use of records and transcriptions. FM operators cannot afford the investments involved in live talent programs to popularize and build this new facility.

"This blow to FM broadcasting is similar to the one previously delivered by Petrillo in requiring individual programming on television broadcast stations which has created a situation seriously affecting the development of the visual radio art."

Industry leaders are giving consideration to ways and means of meeting this latest Petrillo edict.

Newspaper Comments

The Washington *News* in its issue of Thursday (25) commented as follows on this recent Petrillo development:

"DON'T GET MAD AT PETRILLO

A new, improved kind of radio—Frequency Modulation, or FM—started in a small way before the war and is the basis for a promising post-war industry. Or was, until James Caesar Petrillo, dictator of the AFL musicians' union, issued his latest ukase.

Mr. Petrillo has notified major radio stations that they must pay a duplicate crew of musicians to stand by, doing nothing, when any musical program is broadcast by FM as well as by standard radio.

For instance, if a concert by the New York Philharmonic Symphony is broadcast by both methods, the station must not only pay union wages to the 104 members of that orchestra. It must also pay union wages to 104 other musicians who don't play a note to earn the money.

Well, the radio stations say they can't afford to do that. Advertising sponsors pay them no more for a broadcast by both methods than for a broadcast only by standard radio. And so, they say, FM will have to be limited to recorded music. Which means, we think, a much smaller market for special FM receiving sets and a much smaller number of job opportunities for people who might have been employed to produce and sell such sets.

However, there's no use in getting mad at Mr. Petrillo. He is acting within his rights, as defined by the Supreme Court of the United States. In recent years the court has held that unions are immune to prosecution under Federal law, not only for compelling employment of useless and unnecessary labor, but for almost any other conceivable form of trade-restricting, price-boosting, public-hurting activity.

It might do some good to get mad at Congress, and to be vocal about it. For Congress, altho it has the authority and, we think, the duty to act, has never done anything to correct the damage done by those Supreme Court decisions."

FM ACTIVITIES COORDINATED WITHIN NAB

After November 1 the activities of FM Broadcasters, Inc. will be co-ordinated with the FM activities of the National Association of Broadcasters through the newly-created "Frequency Modulation Department" within NAB. This was decided at a meeting of the FMBI Board of Directors held Friday, October 19, at Chicago. The NAB's FM Department, while under the jurisdiction of the NAB Board, will be guided in its specific functions by a special joint committee headed by FMBI President Walter J. Damm and consisting of three NAB Board members and three FMBI Board members. This arrangement will continue at least until the next annual meetings of the two organizations which will probably be held at the same time and place.

The three representatives from the FMBI Board, chosen at Chicago, are John Shepard, 3rd, Wayne Coy and Gordon Gray. Messrs. Coy and Gray were members—along with Cecil D. Mastin—of the FMBI Executive Committee which negotiated the arrangement with NAB through a committee of the NAB Board consisting of Paul W. Morency, WTIC; Leslie Johnson, WHBF, and Frank Stanton, CBS. While, under the plan, the FMBI Board representatives are to have full authority to act the resolutions instrumenting the plan, adopted at Chicago, provide for instructing them on matters of policy.

The first meeting of the joint committee will take place on November 8 at 10:00 A.M., in the offices of NAB President Justin Miller. The FMBI representatives will attend this meeting instructed to (1) endorse and support FMBI's plan for free radio through allocation of sufficient channels to FM broadcasting, (2) strive for clarification of existing rules to permit use of joint call letter announcement and

(Continued on next page)

NAB Reports
The National Association of Broadcasters
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

joint logs for AM-FM broadcasting, (3) seek establishment of a three-year license period and (4) continued active promotion and research for FM broadcasting.

The Washington FMBI headquarters will close November 1. It will issue its final news letter on that date.

Attending the Chicago meeting were: G. E. Gustafson, Cecil D. Mastin, Gordon Gray, Wayne Coy, John Shepard, 3rd, T. C. Streibert, C. M. Jansky, Jr., Charles Myers, G. W. Lang, W. R. David and W. J. Damm, directors; Prof. E. H. Armstrong, Legal Counsel Philip G. Loucks and Managing Director Myles L. Loucks.

TELEVISION CHANNELS FOR FM URGED

Chicago, Ill.—Addressing the 61st annual meeting of the Inland Daily Press Association, C. M. Jansky, Jr., consulting radio engineer of Washington, D. C., asserted that "unless we have a free radio, freedom of the press will be destroyed" and that radio never can be free in the full sense until all who seek FM licenses are assured a reasonably sufficient number of available FM channels.

Mr. Jansky is chairman of Panel 5, Radio Technical Planning Board and is consulting engineer for FMBI, stated his belief that the solution to this problem lay in widening the FM band to include some presently assigned television channels. Through this method alone, Mr. Jansky stated, will broadcasters be offered a reasonable means for developing a "radio as free of restrictions and regulations as are the speakers' platform and the American press today."

Mr. Jansky emphasized that he had no desire to disparage television. He pointed out, however, that engineering and economic problems involved in television are most complex and that it may be some time before full development may be realized, while FM is sufficiently developed for immediate and widespread utilization.

Answering his own question, "If the creation of a freely competitive broadcasting industry by the expansion of the FM band is of prime importance, then from what service must space be taken?"—Mr. Jansky replies, "The answer is television."

NAB BULLETIN ON FM GRANTS MAILED

Information Bulletin—FCC FM Grants, No. 5, was mailed to all members on Oct. 22.

In this Bulletin was given a listing of 64 FM applications which have been granted by the Commission.

SMALL MARKET STATIONS COMMITTEE MEETS

The NAB Small Market Stations Committee, meeting in Washington yesterday and today (25-26), gave primary consideration to Order 91-C and its possible effects on postwar operation of small market stations. At press time definite conclusions and recommendations had not been formulated, but a thorough discussion of the problem was based on results from an industry-wide questionnaire, with 50 per cent of all stations responding.

BMB measurements of station listening areas were described by Paul Peter, BMB Executive Secretary, who pointed out that use of BMB measurements would benefit the small market stations which hitherto have been at a disadvantage because of tendencies by some time buyers to minimize coverage and influence of stations in this class. Such measurements, he added, may also prove to be a basis for progress towards rate readjustments, which he indicated might generally tend upward.

Luncheon guests of the Committee on Thursday were Justin Miller, NAB President, who characterized small market stations as extremely significant in the development of American radio, and who urged them to submit unhestitatingly suggestions and requests for assistance to the NAB; A. D. (Jess) Willard, Jr., Executive Vice President, who emphasized that the NAB is embarking on a program of providing adequate information and advice instantly to small market stations, and Sol Taishoff, Editor of Broadcasting Magazine.

Luncheon guests of the Committee on Friday were Dallas Smythe, Chairman of the FCC Economic Section, and George Adair, Chief of the FCC Broadcast Engineering Section, when the discussion of Order 91-C was continued.

Other items still scheduled for discussion at press time were the position of small market stations on the clear channel problem; station rates and discounts; NAB Standards of Practice, involving limitation of commercial copy; a study of small market station management standards; postwar use of radio by governmental agencies, and a report of the Joske Clinical Test.

Attending the two-day meeting were Marshall H. Pengra, KRNR, Roseburg, Ore., Chairman; Wayne W. Cribb, KHMO, Hannibal, Mo.; James R. Curtis, KFRO, Longview, Tex.; Monroe B. England, WBRK, Pittsfield, Mass.; William C. Grove, KFBC, Cheyenne, Wyo.; Glenn Marshall, Jr., WFOY, St. Augustine, Fla., and Robert T. Mason, WMRN, Marion, O.

Participating in the discussions were Howard Frazier, NAB Director of Engineering; Barry Rumple, NAB Director of Research; Arthur Stringer, NAB Director of Promotion, and Frank E. Pellegrin, NAB Director of Broadcast Advertising and Secretary of the Committee.

BOARD MEETING DEFINITELY SET

Arrangements for the meeting of the Board of Directors to be held at Los Angeles, January 3 and 4, have been fully completed by 16th District Director W. B. Ryan. The meeting will be held at the Hollywood-Roosevelt Hotel. Director Ryan also announced that on Monday and Tuesday, January 7 and 8, a meeting of the broadcasters of the 16th District will be held at the same hotel.

FCC DECISION ON JERSEY DISPUTE

Difficulties arising from attempts of three stations in New Jersey, WCAM, Camden, WTNJ, Trenton and WCAP, Asbury Park, to share the same frequency has resulted in a 17-page FCC decision. Unable to reach a harmonious agreement as to what would constitute an equitable sharing of time on the frequency, two of the stations requested that they be allowed to participate in the time used by the third station involved, and the third station offered as a solution a suggestion that the other two be shifted to

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another frequency, thus leaving it in undisputed use of the frequency in question.

The controversy, which was accepted for consideration by the FCC in 1940, with subsequent hearings in 1941-43, has resulted in a denial of renewal to WCAM with permission granted to refile if the applicant can show that the City of Camden, operator of the station, will maintain exclusive use and control of the station.

WTNJ suffered an outright denial of renewal, while WCAP was granted a renewal with an accompanying rebuke. The decision contained many objections to the past operations of the three stations.

WOKO CASE RESTS WITH COURT OF APPEALS

Posing the question of whether beneficial or concealed interest in the ownership of a station has an important bearing upon its operation in the public interest, the WOKO appeal from the FCC denial of its license renewal was argued before the United States Court of Appeals for the District of Columbia on Oct. 18.

William J. Dempsey, counsel for WOKO, argued that the Commission had failed to take into account a 15-year record of efficient operation in the public interest, convenience and necessity, and that the only question involved was whether Harold E. Smith, WOKO general manager, who holds 25½% of the stock, was cognizant of the real nature of a transfer of WOKO stock in 1934, in which transfer the FCC contends that then-stockholder Sam Pickard, former FCC Commissioner, used R. K. Phelps, a brother-in-law, as a device for changing stock into another name with the transferor continuing as beneficial owner.

Queries from the Court of Appeals Justices brought out the fact that the FCC is not required under the Communications Act, to ask specifically that beneficial stockholders be listed. Also elicited was the fact that the Commission holds that one of the basic elements used as a yardstick in measuring operation in the public interest, convenience and necessity is "a man's ability to tell the truth." Counsel for WOKO points out that prior to "1937 or '38" the Commission asked only that licensees submit names of stockholders of record, but that the names of beneficial owners have been requested since that time.

Fair consideration should be given to the station's 15 years of meritorious operation irrespective of these impositions, contends WOKO counsel.

INTERNATIONAL FREQUENCIES TO OTHER SERVICES

The Department of State today released three of the Government's short-wave broadcasting frequencies so that the American press associations can meet the present emergency and secure access to the additional radio channels required for sending American news to Japan and the Far East generally.

This action is in line with the Department's policy to help American commercial enterprises which are distributing American information abroad.

The Department recently called in Mr. Ralph McGill, Editor of the *Atlanta Constitution*, to consult with Ferdinand Kuhn, Director of the Interim International Information Service, and Assistant Secretary of State Benton in a study of the relations of the government with the American press associations, including advice on barriers impeding their operation abroad.

The question of press communications is one of the topics scheduled for discussion between American and British authorities at a telecommunications conference to be held in Bermuda next month.

The radio frequencies released by the Department of State today are part of a pool of frequencies used by the Government during the war for short-wave broadcasting. Jurisdiction over the frequencies was transferred from the Office of War Information to the Department of State by order of President Truman August 31, 1945.

NATIONAL RADIO WEEK

November 4–10

Radio's 25th Anniversary

The text of the letter from the Department of State to the Federal Communications Commission, releasing the frequencies, follows:

"October 22, 1945.

"Dear Paul:

"This will confirm our telephone conversation of October 19.

"Growing out of the present emergency, and in line with the great and urgent importance of providing to the American press associations communication facilities for enlarging the transmission of news to the Far East, the State Department is very happy to rearrange its schedule of shortwave broadcasting in order to release three frequencies.

"This move on the part of the State Department may illustrate my feeling that the Government should do what it can to support the press associations and other privately operated organizations in their efforts to disseminate the news about America throughout the world.

"Very sincerely yours,
"William Benton.

"The Honorable
"Paul A. Porter,
"Chairman, Federal Communications Commission,
"New Post Office Building,
"Washington, D. C."

WPB RADIO ADVISORY COMMITTEES RETAINED

When War Production Board becomes Civilian Production Administration November 3, 176 key industry advisory committees will be retained. Among them are: radio and radar, and radio receiver vacuum tubes.

KENT COOPER SEES RADIO THREATENED

Stating that "there has been a short-circuiting operation between the executive and judicial branches of the government that has eliminated Congress, the legislative branch," Kent Cooper, executive director of the Associated Press, last week told the Boston Conference on Distribution that as a result, "cases involving the press and the radio have recently been before the Supreme Court of the United States" and that in the case of radio "broad principles as to the regulation of the business practices of the broadcasting industry were presented to the Court in pursuit of the government's determination that regulations promulgated by the Federal Communications Commission shall control the industry."

(Continued on next page)

Seeing a parallel between the Supreme Court decision of May 10, 1943, which greatly affected the broadcasting industry, and the recent decision handed down by that tribunal in the celebrated Associated Press case, Mr. Cooper said further: "Although no attempt had ever been made by the Commission to assert such powers throughout the history of radio broadcasting and despite the fact it is obvious that such powers in the hands of the administration are of fundamental and far reaching importance, nevertheless the majority opinion in the broadcasting case in the Supreme Court upheld the full power of the Commission not, mind you, based on any expressed grant by Congress, but solely on the basis of judicial implication of such a grant of power to the Commission.

"So the broadcasting industry may fear that the government, headed by the successful candidate of a political party, may be legally empowered to do pretty much what it pleases respecting radio. The question is what will it please to do? And radio being licensed and regulated by government how obdurate would it dare to be against government dictation?

"That the government action against radio assumes the outline of what is familiarly called in government circles today a "pattern" is further evidenced in the recent case of the United States against the Associated Press. Here again is a question of far reaching importance as to government control of the business affairs, this time of a news agency which serves the public both through the press and radio. The news agency in its turn is defined as an opinion-forming industry and is placed under control by federal judges through the medium of injunction demanded by a former President of the United States as executive head of the government through his attorney general."

BOOST SALES WITH RADIO

The Domestic Distribution Department Committee of the U. S. Chamber of Commerce last week suggested that new attainments in the sales field can be reached quickly through the medium of radio advertising.

A report: *Distribution: A Key to Higher Employment*, issued by the Committee is designed to assist distributors and distributing organizations in increasing markets.

5 MORE "HOMETOWN MUSIC" SHOWS

Five more "Music from Your Hometown" programs have been produced for Armed Forces Radio Service by cooperating stations.

WIP—Philadelphia

Ed Wallis, program director, reports the completion of three programs for AFRS as follows: Bob Chester's orchestra; a specially prepared segment of WIP's "The Mood Is Jazz", played by top-notch jazz musicians, before 3,200 in the Academy of Music; and Hal McIntyre's orchestra. Some of the participants in the "hot jazz" segment were: Teddy Wilson, Slam Stewart, Tiny Grimes, Red Todney, Specs Powell.

WWJ—Detroit

Don DeGroot, program manager, on October 22, shipped his fifth and sixth "Music from Your Hometown" programs to Armed Forces Radio Service. Programs were by Don Pablo and his orchestra, with girl vocalist, from Detroit's Palm Beach Cafe.

5 SPECIAL BOND TRAINS

Five Victory Bond Special Trains, carrying exhibits of the Army, Navy and Marine Corps, will begin a tour of the country on November 5. Five hundred or more cities in 36 states will be visited.

Though the itinerary of the trains is not yet ready for release, we are today alerting stations of this forthcoming promotion. It is "made to order" for broadcasters and we know they will do their best with it.

One More Train Possible

There is a possibility at this writing that a sixth train will be added to the fleet of Victory Bond Specials. In that event the states of Arkansas, Louisiana, Oklahoma, and Texas would be visited. The Specials cannot be routed to the eight Western states of: Washington, Oregon, California, Idaho, Utah, Nevada, Arizona, and New Mexico because of congested traffic conditions.

If there are six trains, 40 states will be visited. This number will be reduced to 36 with five trains.

Description of Specials

The special trains will be made up of two or three flat cars, two baggage cars, possibly a hospital car, and one Pullman, all painted in red, white and blue. Trains will be manned by picked military personnel, all combat veterans. They will demonstrate to train visitors the equipment which won the war, how this equipment was used, and what it was matched against.

There will be exhibits of tanks, guns, amphibious landing crafts, rockets, radar, searchlights, medical equipment, and possibly planes; also interesting and unusual captured German and Jap material.

Colorful special ceremonies will launch the trains on their tour. Tentative starting points are omitted today because there could be a change in the event another train is added.

Marine Corps Train to Visit 8 States

According to General Robert L. Denig, U. S. Marine Corps, director, division of public information, the Marine Corps train will traverse the 8 states of: Pennsylvania, Ohio, Indiana, Illinois, Wisconsin, Minnesota, North Dakota, and Montana, both going and coming. Cities and dates are expected for publication in next week's NAB Reports.

Routes and dates of Army and Navy trains are likewise expected next week.

NATIONAL RADIO WEEK SUCCESS PROMISED

(As released by NAB News Bureau)

Washington, D. C., October 22: Success of National Radio Week, November 4-10, was predicted by John Patt, WGAR, Cleveland, acting chairman of the National Association of Broadcasters Public Relations Committee, following a meeting of that group and representatives of the major networks and the Radio Manufacturers Association in New York City October 18. Final plans for the celebration of radio's twenty-fifth Anniversary were formulated at the conference, following reports on activities to date, which were given by W. B. McGill, representing RMA, and Willard Egolf, NAB Director of Public Relations.

RMA Active

McGill furnished those present with samples of mailings which have gone out to all radio set dealers and manufacturers in the United States, and displayed the plaque which will be presented to every broadcasting station in the country. This plaque embodies a silver em-

(Continued on next page)

bossed reproduction of the statuette which is to be awarded to the radio industry. He also outlined methods of participation which will be followed throughout the country. The NAB Public Relations Committee gave a vote of thanks to the Radio Manufacturers Association and to McGill who was accompanied by Phil G. Gillig, Emerson Radio and Phonograph Corp., and E. N. Moore, Theodore Sills, Inc., RMA public relations counsel.

NAB Work Reviewed

Egolf gave a résumé of what has been done thus far in preparation for the Week, which climaxes the industry's year-long Anniversary observance. Exhibits covered the field of advertising, publicity, promotion, programming, sales and public relations. Noted with appreciation was the cooperation of other organizations including the National Retail Dry Goods Association, American Retail Federation, the Citizens Radio Anniversary Committee and the trade press. Tune-In magazine for November, a Twenty-Fifth Anniversary special edition, and a special section of Look Magazine to be devoted to a quarter century of radio were examined with interest by the Committee. A report on the petition to President Truman for authorization of a postage stamp commemorating twenty-five years of broadcasting in America was received with an expression of commendation.

Networks Ready

Network plans were discussed generally, indications being that affiliates may expect as high as twenty network originations during the week on each web, with advertising, publicity and promotion tied in. Affiliates will soon be notified of network schedules for the week, to assure balanced programming on the Anniversary theme by all outlets. Network representatives were Robert Swezey, Mutual; Clarence Menser, NBC; Paul Hollister, CBS; Robert Saudek, American, and John Whitmore, Associated.

The Public Relations Committee devoted a portion of the day to regular business, discussing with approbation the October 2 action of the NAB Board in appointing a special committee of board members to investigate the advisability of a system of awards for industry achievement, pursuant to an earlier report by the Public Relations Committee on a proposed Academy of Radio Arts and Sciences.

Immediately following National Radio Week a campaign to collect photographs for the proposed book, "Radio in the War," will be launched.

The Committee expressed great satisfaction with the manner in which the book "Management in the Public Interest" has been received by the broadcasters and outside interests. Numerous letters were exhibited.

The creation of a library and archives at NAB headquarters for the preservation of historic material and memorabilia of the broadcasting industry was proposed for study by the Association.

A request that time be provided for the discussion of public relations topics at forthcoming NAB District Meetings and at the next annual convention was forwarded to headquarters. The Committee plans an interesting presentation for these meetings.

Members present were John Patt, WGAR, Cleveland, Ohio; Michael R. Hanna, WHCU, Ithaca, N. Y.; Phil Hoffman, KRNT, Des Moines, Ia.; Richard H. Mason, WPTF, Raleigh, N. C.; James H. Moore, WSLS, Roanoke, Va.; W. Walter Tison, WFLA, Tampa, Fla.; George Crandall, CBS, N. Y., and Harry Kopf, NBC, Chicago. A. D. Willard, Jr., and Willard D. Egolf attended from NAB, Washington.

RMA ADVERTISING COMMITTEE HOLDS FINAL RADIO WEEK SESSION IN PHILADELPHIA

Under the chairmanship of John S. Garceau, Farnsworth Radio and Television Corporation, the Advertising Committee of the Radio Manufacturers Association, responsible for RMA participation in National Radio Week, met Thursday, October 25, in Philadelphia, to launch the final drive for complete nationwide activity on the part of set dealers and distributors in Radio's Twenty-Fifth Anniversary celebration.

Personal efforts of the RMA Committee, as sales managers of their respective manufacturers, will augment the extensive mailings which have gone out under the direction of W. B. McGill, Advertising Manager of Westinghouse Stations, Inc.

Plans for a broadcast of the presentation to the radio industry of the statuette is recognition of radio's twenty-five years of public service were discussed, with an announcement scheduled soon.

Attending the Thursday session were: John S. Garceau, Chairman, Farnsworth Radio and Television Corporation; S. H. Manson, Stromberg-Carlson Company; S. D. Mahan, Crosley Corporation; D. Elgin, Galvin Manufacturing Company; Georges Faurie, Westinghouse Electric Corporation; L. E. Pettit, General Electric Company; Julius Haber, Radio Corporation of America; Bond Geddes, RMA; John Gelligan, Philco Corporation; Theodore R. Sills and E. N. Moore, public relations counsel.

AFRS, HONOLULU, EXHIBITS INTEREST IN NATIONAL RADIO WEEK

Eddie Truman, AFRS, on military leave as Production Manager for Cowles Radio, writes from Honolulu that he has been following the development of National Radio Week with considerable interest, as carried in Broadcasting magazine.

He writes: "Seems a salute to our stations in the field, AFRS generally or Pacific especially, would be in order as an extension of the broadcasting industry's interest." He advises that he will forward any transcriptions or acetates to the island stations. Address: Edward Truman, AFRS, IES, USAFMIDPAC, APO 958, PM, SAN FRANCISCO.

IMPORTANT REVISION OF EMPLOYERS' REVENUE REPORTS

The Collector of Internal Revenue calls employers' attention to an *important revision* in Treasury requirements for filing information returns on compensation paid to employees. (Treasury Decision #5480.)

This year, Form 1099 must be filed showing certain types of earnings which are *not* subject to withholding tax—travel allowances, premiums on insurance plans, taxable payments to an employee under a pension or profit sharing plan, etc.—for all employees whose total earnings (subject and not subject to withholding tax) total more than $500. Previously, Form 1099 had to be filed *only* for those employees whose extra compensation (not subject to withholding tax) totaled more than $500.

Form 1099 is a standard form which has been used for many years by employers to report employees' wages, by corporations to report dividend distributions, by banks and others to report interest and other kinds of payments.

When the pay-as-you-go system was adopted, a Withholding Receipt (Form W-2) was substituted for Form 1099 in the case of wages from which tax is withheld. However, there usually is no tax withholding and hence no record on the Withholding Receipt when an employee receives reimbursement for travel and other expenses incurred on behalf of his employer, or when the employer pays life insurance premiums for the employee in con-

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junction with a pension plan, and when the employer makes taxable payments to an employee under pension or profit sharing plans.

Such compensation, regardless of its amount, must therefore be reported separately on Form 1099, provided the employee's total compensation (including the wages shown on Form W-2 as well as all other compensation) is $500 or more for the year. If the total compensation is less than $500, the wages subject to withholding should be shown on Form W-2 but no Form 1099 report is required.

Internal Revenue gives the following example: During 1945 an employer paid an employee $400 of wages from which he withheld income tax, and also $200 for travel expenses from which he did not withhold income tax. He is required, in any case, to give Withholding Receipts both to the employee and to the local collector of internal revenue showing the $400 wages. Furthermore, since the employee's total compensation ($600) was more than $500, the employer must also file a Form 1099 return showing the $200 travel expense payment.

Copies of Form 1099 are available from local collectors of internal revenue, but when filled out the forms should be mailed to the Processing Division, Bureau of Internal Revenue, 260 East 161st Street, New York 51, New York.

WBT COVERS FARM CONFERENCE

Charlotte, N. C.—WBT General Manager Charles H. Crutchfield announces that complete coverage will be given the Southeastern Farm Conference in Anderson, S. C., Nov. 14.

Highlight of the conference will be an address by Clinton P. Anderson, U. S. Secretary of Agriculture. Expected attendance will include thousands of farmers and agricultural leaders from the two Carolinas and Georgia.

As a service to rural listeners in the Carolinas, WBT will broadcast important phases of the conference over a special network of stations in the area.

Arrangements for the broadcast are under the supervision of Grady Cole, WBT Farm Editor, who will act as announcer on the program.

Southeastern states governors and Government officials, including many from farm bureaus, will be present.

SOUTHERN CALIF. BROADCASTERS MEET

Word comes from the Southern California Broadcasters Association, Los Angeles, that an all day outing of that organization was held at Oakmont Country Club, Oakmont, Calif., on Oct. 23.

More than 100 members were in attendance. An afternoon golf tournament, followed by a dinner, highlighted the occasion.

CLAIMS NEW ZEALAND RADIO AUDIENCE DECLINES

Of interest to American broadcasters who have heard much about program control, is a concrete result of a changeover to this practice in New Zealand.

Pointing out that New Zealand commercial stations in populous areas have suffered an audience decline from a former basic 73% to an extreme low of 30% due to adoption of government programming control which started 12 months ago, Radio Advertisers Association of New Zealand has inaugurated a campaign urging individual advertisers to write the Minister of Broadcasting in that country, suggesting that if "they be permitted to purchase in the open field as previously, the present department strangle hold on programs may be eliminated and the alarming decline of audience arrested."

WPEN RELIGIOUS BROADCASTING POLICY UPHELD

The United States Circuit Court of Appeals for the Third District in an opinion filed on October 12, upheld the right of Radio Station WPEN to fully control its own facilities in so far as the grant or sale of time for religious broadcasting is concerned. In an action brought by Carl McIntire: Young People's Church of the Air, Inc., a corporation; Word of Life Fellowship, Inc., a corporation; Theodore Elsner, E. Schuyler English, Highway Mission Tabernacle, a corporation; Wiley Mission, Inc., a corporation, and Wesleyan Methodist Church, a corporation, the religious group sought to compel WPEN to follow the policy providing time for all religious broadcasters who desired to use it.

In an unanimous opinion signed by Circuit Judges Biggs, Waller and McLaughlin, the right of WPEN to establish its own policy with regard to religious broadcasts was fully sustained. The opinion follows:

By BIGGS, *Circuit Judge:*

The plaintiffs are clergymen or religious corporations who have been broadcasting religious programs over Radio Station "WPEN" owned and operated by the defendant. The station operates under a short term license in the usual form[1] issued by the Federal Communications Commission under the Communications Act of 1934. See 47 U. S. C. A., Sec. 307. WPEN devoted at least a fifth of its available broadcasting time to religious programs. All of the time consumed by these plaintiffs' programs was paid for by the plaintiffs as sponsors pursuant to contracts entered into by them and the defendant. The dates at which the contracts of the plaintiffs would have expired except for the happening of the events hereinafter referred to are listed below.[2]

Each contract contained a provision which authorized termination by the defendant by giving two weeks' notice in writing. On February 20, 1945, the defendant served on each of the plaintiffs a written notice of intention to terminate the contracts in accordance with this provision. Though the expiration dates specified in the notices in every instance fell prior to Easter Sunday 1945 (April 1), the defendant offered to permit each plaintiff to continue broadcasting over WPEN up to and including April 1, 1945. All of the plaintiffs continued their broadcast through that day. Thereafter the defendant refused to permit any of the plaintiffs to broadcast their programs.

As will be observed from the dates set out in note 2 *supra* the contract of Young Peoples Church of the Air expired by its own terms on April 1, 1945. All other contracts, save one, would have reached their original expiration dates by September 23, 1945. The remaining contract would have expired on November 11, 1945. The defendant stated its reason for cancelling the contracts as follows: "Instead of time for religious broadcasts being sold on a commercial basis as has heretofore been done, we plan to inaugurate on a substantial basis, as a public service a series of religious broadcasts of general interest, the time for which will not be sold."[3]

The original complaint filed by the plaintiffs asserted that jurisdiction lay in the District Court under Section 406 of the Communications Act of 1934, 47 U. S. C. A., Sec. 406. Upon it becoming apparent that the defendant

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[1] The license of station WPEN provides in part:

"The licensee shall, during the term of this license, render such broadcasting service as will serve public interest, convenience, or necessity to the full extent of the privileges herein conferred.

"This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequency designated in the license beyond the term hereof, nor in any other manner than authorized herein."

[2]

Specified Expiration Date	*Name of Plaintiff*	*Date of Contract*
April 1, 1945	—Young Peoples Church of the Air, Inc.	May 3, 1944
May 26, 1945	—E. Schuyler English (The Pilgrims)	May 2, 1944
May 27, 1945	—Carl McIntire	May 18, 1944
June 17, 1945	—Wesleyan Methodist Church	May 8, 1944
June 23, 1945	—Word of Life Fellowship, Inc.	May 8, 1944
June 30, 1945	—Wiley Mission, Inc.	June 12, 1944
July 22, 1945	—Wiley Mission, Inc.	June 12, 1944
Sept. 23, 1945	—Highway Mission Tabernacle	Aug. 28, 1944
Nov. 11, 1945	—Theodore Elsner (Phila. Gospel Tabernacle)	Oct. 28, 1944

[3] Quoted from the notices of cancellation dated February 20, 1945.

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was not a "common carrier" as defined in Section 4(h),[4] 47 U. S. C. A., Sec. 153(h), the plaintiffs amended the bill of complaint and bottomed their cause on four sets of allegations. These may be stated as follows: (1) that the defendants in terminating the contracts and in refusing the plaintiffs the right to bid for radio time on a competitive basis, while entering into paid contracts with a few other religious broadcasters possessed the intent "* * * to discriminate illegally against the plaintiffs"; (2) that the notices of cancellations were of no legal effect in that the avowed reason for giving them was "illegal, invalid, and contrary to the terms and intent of the Federal Communications Act and to the First Amendment"; (3) that the policy of the defendant to give free time for religious broadcasts or "to give some free time and sell other time for religious broadcasts is illegal * * *" is contrary to the Federal Communications Act and to the First Amendment; that the course pursued by the defendant permits it to control the type of religious broadcasts to be sent out over WPEN and constitutes a violation of the right of freedom of speech and the right to the free exercise of religion; and (4) that the clause of the contracts permitting cancellation, "printed on the reverse side of * * * (the) contracts," is without consideration, is too indefinite to be enforceable and is so repugnant to the other terms of the contracts as to be void. We will endeavor to deal with these issues but it is desirable first to make a few general observations respecting the background against which radio broadcasting stations licensed by the Federal Communications Commission operate.

It is plain, as indeed both the plaintiffs and the defendant agree, that a radio broadcasting station must operate in the public interest and must be deemed to be a "trustee" for the public. It is unnecessary to review in this opinion the history of the various federal statutes culminating in the Federal Communications Act which will demonstrate the correctness of the foregoing statement,[5] in view of the opinions of Mr. Justice Frankfurter in National Broadcasting Co. v. United States, 319 U. S. 190 and Federal Communications Commission v. Pottsville Broadcasting Co., 309 U. S. 134. It is clear from history and the interpretation of the Federal Communications Act that the choice of programs rests with the broadcasting stations licensed by the FCC. See also 1 Socolow, Law of Radio Broadcasting, Secs. 214-219, pp. 232-239. Censorship by the FCC is prohibited by Section 326 [6] of the Act, 47 U. S. C. A., Sec. 326.

The authority of the Commission as defined in Section 303, 47 U. S. C. A., Sec. 303 includes the power to pass upon such allegations of unfair treatment as the plaintiffs make here respecting the defendant. The Commission may refuse to renew the defendant's license if it has failed to act in the public interest. Indeed certain of the plaintiffs have complained to the Commission of the defendant's actions which are the basis for the suit at bar, but the Commission was of the opinion that the defendant's action in cancelling the contracts was not against the public interest.[7] In the case at bar, however, we are concerned only with the question of whether the plaintiffs have stated any cause of action against the defendant cognizable in a district court of the United States. We are of the opinion that they have not done so for the reasons stated immediately hereinafter.

The causes of action which the plaintiffs seek to assert and which we have set out above, with the exception of the group of allegations which we have designated as (4), endeavor to assert violations of the Constitution or of laws of the United States. The group of allegations which we have designated as (1) seems to attempt to assert a violation of the anti-trust laws of the United States despite the fact that neither the Sherman Act [8] nor the Clayton Act [9] is mentioned in the plaintiffs' pleading. This is not in itself of great importance but the allegations of the amended complaint are insufficient to state any cause of action under the anti-trust laws. For example, it is not alleged that the defendant is in a dominant position in the broadcasting field or that it is a member of a chain which so monopolizes radio broadcasting as to render it impossible for the plaintiffs to find other outlets for their broadcasts. Neither conspiracy nor concert of action is asserted. As we stated in Goldman Theatres, Inc. v. Loew's Inc., —— F. 2d ——, ——, paraphrasing a statement in United States v. Socony-Vacuum Oil Co. (C. C. A. 7), 105 F. 2d 809, 825, "The purpose of the anti-trust laws —an intendment to secure equality of opportunity—is thwarted if group power is utilized to eliminate a competitor who is equipped to compete." The plaintiffs do not allege that the defendant seeks to eliminate a cometitor by refusing to sell radio time to the plaintiffs. It is not asserted that the defendant entered into a conspiracy with the plaintiffs' competitors in religious broadcasting to eliminate the plaintiffs from the religious broadcasting field. Indeed, in justice to the plaintiffs it should be stated that they do not assert expressly that they are competitors in a field of religious broadcasting or that religious broadcasting is a commodity. Properly they have avoided such allegations but the plaintiffs have stated no cause of action under the anti-trust laws of the United States.

These allegations may conceivably be construed as relating to some vague charge of unfair competition. But the plaintiffs do not assert that they are selling a commodity. The allegations seems to charge an "illegal discrimination" in that the defendant insists on preferring other religious broadcasters to the plaintiffs. But there is no reason, the FCC permitting and no violation of the anti-trust laws being involved, why the defendant may not sell time to whomever it pleases. As we have stated, Congress has confided the selection of program material to be broadcast to the taste and discrimination of the broadcasting stations.

As to the groups of allegations which we have designated as (2) and (3) we conclude that they state no cause of action. The plaintiffs have cited no specific provision of the Federal Communications Act which has been violated by the defendant and we can find none. In any event the enforcement of the Act rests in the FCC and not in the district courts of the United States save for a right of review of the Commission's orders afforded under Section 402(a). Nor do we perceive how it may be said that because the defendant has cancelled broadcasting contracts in accordance with a written provision contained in them that the plaintiffs' rights to freedom of speech and to the free exercise of religion have been abridged. True, if a man is to speak or preach he must have some place from which to do it. This does not mean, however, that he may seize a particular radio station for his forum. See the apt language of Mr. Justice Frankfurter in National Broadcasting Co. v. United States, *supra*, at p. ——, "Unlike other modes of expression radio inherently is not available to all."

Assuming *arguendo* that the defendant's cancellations of the plaintiffs' contracts have limited plaintiffs' opportunities to speak or preach freely, the First Amendment was intended to operate as a limitation to the actions of Congress and of the federal government. The defendant is not an instrumentality of the federal government but a privately owned corporation. The plaintiffs seek to endow WPEN with the quality of an agency of the federal government and endeavor to employ a kind of "trustee-

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[4] In pertinent part as follows: ". . . a person engaged in radio broadcasting shall not, insofar as such person is so engaged, be deemed a common carrier."

[5] See The Wireless Ship Act, 46 U. S. C. A. Secs. 484-487, The Radio Act of 1912, 47 U. S. C. A. Secs. 51-63 (repealed), The Radio Act of 1927, 47 U. S. C. A. Secs 81-119 (repealed).

[6] In pertinent part as follows:

"Nothing in this chapter shall be understood or construed to give the Commission the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the Commission which shall interfere with the right of free speech by means of radio communication."

[7] The Commission by its News Release dated April 24, 1945 stated in part:

"The Commission has carefully considered the matters alleged in your complaint and the representations made to it by the licensee of Station WPEN to determine whether there has been a violation of the licnsee's obligation to operate in the public interest. The Commission is of the opinion that the representations of Station WPEN are consonant with the licensee's obligation to present a diversified and well-rounded program service. For the foregoing reasons, the Commission has today denied your petition."

An appeal lay from the order of the Commission under Section 402(a) of the Federal Communications Act, 47 U. S. C. A. Sec. 402(a). See the Urgent Deficiencies Act, 28 U. S. C. A. Sec. 47. None of the plaintiffs availed themselves of the right of review thus afforded.

[8] See 15 U. S. C. A. Secs. 1 and 2.

[9] See 15 U. S. C. A. Sec. 13.

of-public-interest" doctrine to that end. But Congress has not made WPEN an agency of government. For this court to adopt the view that it has such a status would be judicial legislation of the most obvious kind.

Finally, on this particular aspect of the case at bar, we state that we know of no federal statute which gives a cause of action against a private person who has abridged another's right to freedom of speech or to the free exercise of religion. Cf. Screws v. United States, ——U. S. ——, and Picking v. Penna. R. Co. (C. C. A. 3), —— F. 2d ——.

The assertion that the actions of the defendant constitute censorship has in essence been discussed in the foregoing paragraphs. For a radio station to refuse to sell time in which an individual may broadcast his views may be censorship but we know of no law which prohibits such a course. As we have indicated a radio broadcasting station is not a public utility in the sense that it must permit broadcasting by whomever comes to its microphones. Cf. Pulitzer Publishing Co. v. Federal Communications Commission (C. A. D. C.), 94 F. 2d 249.

As to the group of allegations which we have designated as (4) containing the specific assertions that the defendant could not cancel the contracts because the cancellation clause was without consideration and invalid because indefinite and repugnant to other provisions of the contracts we conclude that here also the plaintiffs have failed to state a cause of action. Since this portion of the complaint is based strictly on diversity jurisdiction, the questions of law must be determined by the law of Pennsylvania[10] for it must be presumed in view of the absence of allegations to the contrary[11] that the contracts were executed and delivered in Pennsylvania.[12] Such cancellation provisions are supported by the law of Pennsylvania. See Phila. Ball Club v. Lajoie, 202 Pa. 210, 51A.973 and Dick v. Ireland, 130 Pa. 299, 317, 18A.735, 736. Cancellation provisions are not uncommon in radio broadcasting contracts. See the comments of the FCC in *In re* Kindig, 3 F. C. C. 313. There was consideration supporting the clauses; indeed, it was the identical consideration which supported the contracts. The plaintiffs entered into the agreements fully aware that cancellation was provided for. The validity of the unilateral option reserved to the defendant is too clear to require extended discussion. See the Pennsylvania decisions cited in this paragraph.

The court below dismissed the amended complaint upon the motion of the defendant on the ground that it stated no cause of action against the defendant. It committed no error in doing so.

Judgment affirmed.

TRAFFIC SAFETY PROGRAM OUTLINED

The letter from Lee B. Wailes, Manager of Westinghouse Radio Stations, Inc., suggesting a public service activity in traffic safety (see NAB REPORTS, Page 416) continues to attract widespread attention. Marc Bowman of KOIN sends in the following:

"As long ago as September, 1937, KOIN instituted a series of programs in cooperation with the traffic safety division of Oregon's state department, and they have been a weekly fixture since that time. As a result, we have the satisfaction of being able to quote Robert S. Farrell, Jr., Oregon's Secretary of State: 'Oregon's safety program has benefited immeasurably through the year 'round weekly broadcast of KOIN's traffic safety show, as contracted to periodic programs on special campaigns. Transcribed and rebroadcast on nine other stations, Oregon thus is assured consistent and complete geographical radio coverage in the interest of accident prevention.'

"But that's only part of the story. In July, 1939, KOIN began a series of programs in cooperation with the Portland Traffic Safety Commission. Again this station has experienced a feeling of satisfaction because, after placing second in 1943, this city was first in 1944 in the national traffic safety contest sponsored by the National Safety Council. That contest included all cities in the United States with populations between 250,000 and 500,000. During the years of war-swollen populations on the Pacific Coast, and the consequent traffic problems peculiar to the region, Portland has been consistently among the leaders in traffic safety.

"We quote Ray Carr, 1944 Chairman of the Portland Traffic Safety Commission: 'Thank you for helping Portland earn first place award for best traffic safety record among the cities of our population class throughout the United States for 1944. Shortly after the safety commission was created, KOIN instituted a safety program, from which time this program has been aired every week without a single interruption. This was the only radio program of this character and continuity.'

"Yes, KOIN also is conscious that nothing is more important among a radio station's public service duties than helping to save life."

FCC CONSOLIDATES HEARINGS

On Tuesday (23) the Commission designated for hearing a total of 231 applications for (1) new standard broadcast stations in various localities in the United States and (2) changes in assignments of existing broadcast stations. These consolidated groups involve a total of 61 hearings. These applications were consolidated because of obvious problems of objectionable interference.

Due to the unprecedented number of applications now pending, in consolidating the various groups it was not possible in every instance for the Commission to determine the interference which may be expected with existing broadcast services or marginal problems of interference with other applications for proposed stations. In some cases, therefore, specific issues covering such problems will not be included among the other issues upon which notices of hearing are to be promulgated. Therefore, if any licensee or applicants believe that the granting of any of the applications involved in these hearings would adversely affect their existing or proposed broadcast services due to the probability of objectionable interference, such parties may file petitions requesting intervention and the enlargement of the issues in such hearings, supported by appropriate engineering studies to show such objectionable interference, as defined by the Commission's Standards of Good Engineering Practice. All such petitions will be given careful consideration by the Commission.

The applications involved in the above action of the Commission are as follows:

Star Broadcasting Co., Inc. (B1-P-3979), Geneva, New York; for new station on 1240 kc., 250 watts, unlimited. to be consolidated with the following: The Finger Lakes Broadcasting System (Docket No. 6604), Geneva, N. Y.; WARC, Inc. (Docket 6605), Rochester, N. Y.; Rochester Broadcasting Corp. (Docket 6606), Rochester, N. Y.; Seneca Broadcasting Corp. (Docket 6607), Rochester, N. Y.

Tennessee Radio Corp., Nashville, Tenn., for reinstatement of application (Docket 6193) for new station on 1240 kc., 250 watts, unlimited; Murfreesboro Broadcasting Service, Murfreesboro, Tenn., for new station on 1240 kc., 250 watts, unlimited time. To be consolidated with: Nashville Radio Corp. (Docket 6108); Capitol Broadcasting Co. (Docket 6669), both for new stations at Nashville, on 1450 kc. Tennessee Broadcasters (Docket 6648); J. W. Birdwell (Docket 6649). All for new stations at Nashville on 1240 kc.

Donald Flamm (B1-P-4056); The Metropolitan Broadcasting Service, both for new stations at New York, N. Y., on 620 kc., 5 KW., unlimited; WAGE, Inc. (WAGE), Syracuse, N. Y., 620 kc., 5 KW., unlimited time, DA; WCAX Broadcasting Corp. (WCAX) (B1-P-3961), Bur-

(Continued on next page)

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[10] See Ruhlin v. N. Y. Life Ins. Co., 304 U. S. 202 and Guaranty Trust Co. v. York, U. S.

[11] See Black & Yates v. Mahogany Ass'n, (CCA 3), 129 F. 2d 227, 233.

[12] See New York Life Ins. Co. v. Levine (CCA 3), 138 F. 2d 286, 288 and the authorities cited in note 4 of Judge Maris' opinion.

lington, Vt., 620 kc., 5 KW., unlimited; DA. To be consolidated with: Newark Broadcasting Corp. (Docket 6190), Newark, N. J., for a new station on 620 kc., 5 KW., unlimited.

Copper City Broadcasting Corp. (Docket 6744), to be consolidated with: Utica Broadcasting Co., Inc. (Docket 6140); Ronald B. Woodyard (Docket 6683); Utica Observer Dispatch, Inc. (Docket 6043); Midstate Radio Corp. (Docket 6141). The application of Copper City Broadcasting Corp. is for a new station at Rome, N. Y., on 1450 kc., 250 watts, unlimited. The remaining four applications are for new stations at Utica, N. Y., for 1450 kc., 250 watts.

Northern Broadcasting Co., Inc., (WSAU) (B4-P-3656), Wausau, Wis., for construction permit to change frequency to 1250 kc.; Midwest Broadcasting Co. (B4-P-3746), Milwaukee, Wis., for a new station on 1250 kc. with 5 KW. Farnsworth Television & Radio Corp. (WGL), Ft. Wayne, Ind., to change frequency to 1250 kc. and increase power to 1 KW. Virginia-Carolina Broadcasting Corp., for a new station on 1250 kc., 1 KW night, 5 KW-LS, Danville, Va., to be consolidated with: The Wren Broadcasting Co. (WREN) (Docket 6703), which requests permission to move from Lawrence to Topeka and increase power on 1250 kc., to 5 KW.

Chronicle Publishing Co., Inc., Marion, Indiana, for new station on 1230 kc., 250 watts, unlimited; Booth Radio Stations, Inc., Logansport, Ind., for new station on 1230 kc., 100 watts, unlimited, to be consolidated with: Voice of Marion (Docket 6773), for a new station at Marion, Ind., on 1230 kc., 250 watts.

Tri-County Broadcasting Corp. (B5-P-3890) and Edisto Broadcasting Co., both for new stations in Orangeburg, South Carolina, on 1450 kc., 250 watts, unlimited time, to be consolidated with: Observer Radio Corp. (Docket 6763) and Orangeburg Broadcasting Corp. (Docket 6764), both requesting identical facilities.

The Constitution Publishing Co. (formerly Constitution Broadcasting Co.) (Docket 6075), Atlanta, Ga.; New Mexico Publishing Co. (B5-P-3932), Santa Fe, New Mexico; Shenandoah Valley Broadcasting Corp. (WSVA) (B2-P-3753), Harrisonburg, Va.; Booth Radio Stations, Inc., Saginaw, Mich.; Federated Publications, Inc. (B2-P-4010), Lansing, Mich.; WJIM, Inc., Lansing, Mich.; Montana Broadcasting and Television Co., Anaconda, Mont.; Pulitzer Publishing Co. (KSD), St. Louis, Mo.; Caprock Broadcasting Co., Lubbock, Texas; to be consolidated with: Radiophone Broadcasting Station WOPI, Inc. (WOPI), (Docket 6661), Bristol, Tenn. All of these applicants request the use of frequency 550 kc.

San Bernardino Broadcasting Co., Inc., San Bernardino, Cal. (B5-P-3908); Lee Bros. Broadcasting Co. (KFXM), San Bernardino; Nevada Radio & Television Co. (B5-P-3832), Reno, Nev.; New Mexico Broadcasting Co. (KGGM) (B5-P-2918), Albuquerque, New Mexico; The Star Broadcasting Co., Inc., Pueblo, Colo., to be consolidated with: Southern Utah Broadcasting Co. (KSUB) (Docket 6759), Cedar City, Utah. All of these applicants request authority to operate on 590 kc.

Atlantic Broadcasting Co. (B3-P-3835); Chatham Broadcasting Co. (B3-P-4029), both for new stations at Savannah, Ga., to operate on 1400 kc., 250 watts, unlimited time, to be consolidated with: A. C. Neff (Docket 6640), seeking identical facilities.

Fayette Associates, Inc. (B2-P-3876), for a new station at Montgomery, W. Va., to operate on 1400 kc., 250 watts, unlimited time, to be consolidated with: Joe L. Smith, Jr. (Docket 6677), for a new station at Charleston, W. Va., 1400 kc., 250 watts, unlimited time.

Thomaston Broadcasting Co. (B3-P-3829), Thomaston, Ga., 1420 kc., 250 watts, unlimited; J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartlidge, Jr., d/b as Columbus Broadcasting Co. (WRBL) (B3-P-3986), Columbus, Ga., 1420 kc., 5 KW., unlimited; Muscogee Broadcasting Co., Columbus, Ga., 1450 kc., 250 watts; Chattahoochee Broadcasting Co., Columbus, Ga., 1460 kc., 1 KW.; A. Frank Katzentine (Docket 6705), Orlando, Fla., 1420 kc., 5 KW., unlimited: Palm Beach Broadcasting Corp. (WWPG) (B3-P-3968), Palm Beach, Fla., 1420 kc., 1 KW., unlimited. To be consolidated with: City of Sebring, Fla. (Docket 6696), Sebring, Fla., 1430 kc., 1 KW., unlimited.

Sabine Area Broadcasting Corp. (B3-P-4011), Orange, Texas; WOOP, Inc. (B2-P-3987), Dayton, Ohio; Charlotte Broadcasting Co. (B3-P-3847), Charlotte, N. C.; Burlington-Graham Broadcasting Co. (B3-P-4026), Burlington, N. C.; McClatchy Broadcasting Co. (B5-P-3800), Modesto, Cal.; United Broadcasting Co., Inc. (B3-P-3695), Montgomery, Ala.; Roy A. Lundquist and D. G. Wilde (B5-P-4050), copartners, d/b as The Skagit Valley Broadcasting Co., Mount Vernon, Wash.; Gazette Co., Cedar Rapids, Iowa; Long Island Broadcasting Corp. (WWRL), Woodside, N. Y.; James F. Hopkins, Inc. (Docket 6230), Ann Arbor, Mich.; San Joaquin Broadcasters, Inc., Modesto, Cal.; Piedmont Carolina Broadcasting Co., Inc., Reidsville, N. C. These applications involve the use of channel 1600 kc., and are to be consolidated with: Capital City Broadcasting Co. (Docket 6711), Des Moines, Iowa; Capitol Radio Corp. (Docket 6712), Des Moines; Myron E. Kluge, Earle E. Williams and C. Harvey Haas, a partnership, d/b as Valley Broadcasting Co., Pomona, Cal. (Docket 6633).

Arkansas-Oklahoma Broadcasting Corp. (B3-P-4034); Donald W. Reynolds (B3-P-3772), both seek new stations at Fort Smith, Ark., on 1230 kc., 250 watts, unlimited time.

James H. McKee (B2-P-3738); Capitol Broadcasting Corp. (B2-P-3779); Chemical City Broadcasting Co. (B2-P-3841), all request new stations at Charleston, W. Va., to operate on 1240 kc., 250 watts, unlimited time.

Coast Ventura Co. (B5-P-3725); Ventura Broadcasters, Inc. (B5-P-3807), both request new stations at Ventura, Cal., to operate on 1450 kc., 250 watts, unlimited time.

Huntington Broadcasting Corp. (B2-P-3741); Greater Huntington Radio Corp. (B2-P-3826), both for new stations at Huntington, W. Va., 1450 kc., 250 watts, unlimited time.

Bay State Beacon, Inc. (B1-P-3983); Mitchell G. Meyers, Reuben E. Aronheim and Milton H. Meyers (B1-P-3819); Cur-Nan Co.; Templeton Radio Mfg. Corp. The first three applicants request new stations at Brockton, Mass., 1450 kc., 250 watts, unlimited; the fourth requests a new station at Boston, Mass., 1450 kc., 250 watts, unlimited.

Bradford and Pihl (B4-P-3956); Russell E. Kaliher; both applicants request stations at Bemidji, Minn., 1450 kc., 250 watts, unlimited.

Escombia Broadcasting Co. (B3-P-3842); Gulfport Broadcasting Co., Inc.; Pape Broadcasting Co., all seek new stations at Pensacola, Fla., on 1450 kc., 250 watts, unlimited.

Glens Falls Broadcasting Corp. (Docket 6702); Great Northern Radio, Inc. (B1-P-4104); Glens Falls Publicity Corp. These applicants all seek stations at Glens Falls, N. Y., to operate on 1450 kc., 250 watts, unlimited time.

Bernard Lee Blum, Waterbury, Conn.; Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, Waterbury, Conn.; Harold Thomas, Waterbury, Conn. (B1-P-3951); Associated Electronic Enterprises, Woonsocket, R. I.; H. Ross Perkins and J. Eric Williams, d/b as Norwich Broadcasting Co. (B1-P-3870), Norwich, Conn. These five applicants request stations respectively at Waterbury, Conn.; Norwich, Conn., and Woonsocket, R. I., all to operate on frequency 1240 kc.

Valley Broadcasting Association, Inc. (B3-P-3759), McAllen, Texas; Howard W. Davis (B3-P-3830), McAllen, Texas; Radio Station KEEW, Ltd. (KEEW), Brownsville, Texas; Red River Valley Broadcasting Corp. (KRRV), Sherman, Texas. All four applicants request authority to operate on frequency 910 kc.

Valdosta Broadcasting Co., Valdosta, Ga.; Hazlewood, Inc. (WLOF) (B3-P-3973), Orlando, Fla. Both applicants request authority to operate on 950 kc.

Radio Service Corp. (KSEI) (B5-P-3735), Pocatello, Idaho, for increase in power on 930 kc. to 5 KW, unlimited; Vancouver Radio Corp. (KVAN) (B5-P-3552), Vancouver, Wash., to change frequency from 910 to 930 kc., and increase power to 1 KW, unlimited time.

Penn Thomas Watson (WGTM) (B3-P-3848), Wilson, N. C.; Eastern Carolina Broadcasting Co. (WGBR) (B3-P-3914), Goldsboro, N. C.; Jonas Weiland (WFTC) (B3-P-3827), Kinston, N. C.; Roanoke Broadcasting Corp. (WSLS), Roanoke, Va.; Lynchburg Broadcasting Corp. (WLVA), Lynchburg, Va. All these applicants request use of frequency 590 kc.

Voice of Augusta, Inc. (B3-P-3919); The Augusta

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Chronicle Broadcasting Co.; Savannah Valley Broadcasting Co. All these are applicants for a new station at Savannah, Ga., to operate on 1340 kc., 250 watts, unlimited time.

El Paso Broadcasting Co.; Bleecker P. Seaman and Carr P. Collins, Jr., d/b as Seaman and Collins. These two are applicants for a new station at El Paso, Texas, on 1340 kc., 250 watts, unlimited.

Broadcasting Corp. of America, Indo, Calif.; Richard T. Sampson, Banning, Calif. These two are for new stations at Indo and Banning, Calif., to operate on 1400 kc., 250 watts, unlimited time.

Radio Sales Corp., Twin Falls, Idaho; Jessica L. Longston, Burley, Idaho. These are applicants for new stations at Twin Falls and Burley, Idaho, both to operate on 1450 kc., 250 watts, unlimited.

C. L. Pursley and Louise Patterson Pursley, d/b as Pursley Broadcasting Service (B3-P-3745); H. O. Jones, Wm. E. Jones, and James O. Jones, a co-partnership, d/b as WGCM Broadcasting Co. (B3-P-3698); WLOX Broadcasting Co. The first application is for new stations at Mobile, Ala., to operate on 1490 kc., and the last two are applicants for Biloxi, Miss., to operate on 1490 kc.

Crescent Broadcasting Corp., Shenandoah, Pa.; The Patriot Co., Harrisburg, Pa. These are applicants for stations at Shenandoah and Harrisburg, Pa., both request the frequency 580 kc.

KOVO Broadcasting Co. (KOVO), Provo, Utah (Docket 6739), to change frequency to 960 kc., and increase power to 1 KW; United Broadcasting Co., for a new station at Ogden, Utah, on 950 kc., 250 watts, unlimited time; both applicants request frequency 960 kc.

Peninsula Broadcasting Co. (WBOC) (B1-P-3786); Eastern Shore Broadcasting Co. (B1-P-3751). The former requests 1 KW, unlimited time, on 960 kc., at Salisbury, Md., and the latter requests 500 watts day, on the same frequency at Preston, Md.

Cedar Rapids Broadcasting Corp., Inc. (B4-P-3970); Radio Corp. of Cedar Rapids; Muscatine Broadcasting Co., Moline Dispatch Publishing Co. The first two applicants request new stations at Cedar Rapids, Iowa, to operate on 1450 kc., 250 watts, unlimited time; Muscatine Broadcasting Co. requests a new station at Muscatine, Iowa, to operate on 1450 kc. Moline Dispatch Publishing Co. requests a new station at Moline, Ill., to operate on 1450 kc.

John L. Plummer (B3-P-3798); J. O. Emmerich (B3-P-3805), Iddo K. Corkern (B3-P-4033). These three applicants seek a new station at Bogalusa, La., to operate on 1490 kc., 250 watts, unlimited time.

Murray L. Grossman, tr/as The Danbury Broadcasting Co. (B1-P-4017); The Berkshire Broadcasting Corp.; Torrington Broadcasting, Inc. The first two applicants request a new station at Danbury, Conn., the third is for a new station at Torrington, Conn., to operate on 1490 kc., 250 watts, unlimited time; the third for the same frequency at Torrington, Conn.

Meadville Tribune Broadcasting Co.; H. C. Winslow; Times Publishing Co. (B2-P-3773). The first two applications are for new stations at Meadville, Pa., on 1490 kc., 250 watts, unlimited time. The third for a new station at Erie, Pa., on 1490 kc., 50 watts, unlimited time.

Roderick T. Peacock, Sr., tr/as Daytona Beach Broadcasting Co.; Wade R. Sperry, Edgar J. Sperry and Josephine T. Sperry, a co-partnership, d/b as Daytona Beach Broadcasting Co. Both applications are for a new station at Daytona Beach, Fla., on 1340 kc., 250 watts, unlimited time.

Old Pueblo Broadcasting Co.; Sun County Broadcasting Co., applicants for a new station at Tucson, Ariz., to operate on 1340 kc., 250 watts, unlimited time.

Smoky Mountain Broadcasting Co. (B3-P-3777); Clarence Beaman, Jr., tr/as East Tennessee Broadcasting Co. Both are applicants for a new station at Knoxville, Tenn., to operate on 1340 kc., 250 watts, unlimited time.

Peterson & Co. (B2-P-3984); The Central Kentucky Broadcasting Co.; Garvice D. Kincaid. All three are applicants for a new station at Lexington, Ky., to operate on 1340 kc., 250 watts, unlimited time.

Central Broadcasting Corp.; Howard W. Davis, tr/as The Walmac Co. Both are applicants for a new station at Corpus Christi, Texas, to operate on 1230 kc., 250 watts, unlimited time.

Syracuse Broadcasting Corp. (new), Syracuse, N. Y.; WLEU Broadcasting Corp. (WLEU), Erie, Pa. Both applicants seek the use of frequency 1260 kc.

Kentucky Broadcasting Co., Lexington, Ky.; P. C. Wilson, Canton, Ohio; Cleveland Broadcasting Co., Inc. (B2-P-4058), Cleveland, Ohio; Scripps-Howard Radio, Cleveland, Ohio; Walter A. Graham (B3-P-4059), Tipton, Ga. All five applications are for new stations in the communities listed, and all seek the use of frequency 1300 kc.

Edgar T. Bell (B4-P-3812) (New), Peoria, Ill., 1350 kc., 1 KW., unlimited; Central Ill. Radio Corp. (B4-P-3911) (New) Peoria, Ill., 1340 kc., 250 watts; unlimited; WJPS, Inc. (B4-P-3923) (New), Evansville, Ind., 1330 kc., 1 KW., unlimited; Tri-State Broadcasting Corp. (New), Evansville, Ind., 1330 kc., 5 KW., unlimited; Booth Radio Stations, Inc. (New), Flint, Mich., 1330 kc., 1 KW., unlimited; Wabash Valley Broadcasting Corp., Terre Haute, Ind., 1350 kc., 5 KW., unlimited.

Beaver County Broadcasting Corp. (New), Beaver Falls, Pa.; McKeesport Radio Co., McKeesport, Pa., Booth Radio Stations, Inc., Lansing, Mich. All three applicants request use of frequency 1360 kc.

F. M. Radio and Television Corp. (New), San Diego, Cal., 1370 kc., 500 watts night, 1 KW.-Ls, unlimited; Broadcasters, Inc. (New), San Jose, Cal., 1370 kc., 1 KW., unlimited; United Broadcasting Co. (B5-P-4061), San Jose Cal., 1380 kc., 250 watts, unlimited; DeHaven, Hall and Oates (New), Salinas, Cal., 1380 kc., 1 KW., unlimited; Valley Broadcasting Co. (B5-P-4015), Stockton, Cal., 1380 kc., 1 KW., unlimited; Central Cal. Broadcasters, Inc. (KRE) (B5-P-3982), Berkeley, Cal., 1380 kc., 1 KW., unlimited. All six applications are interrelated.

Southern Media Corp. (New), Coral Gables, Fla., Ft. Lauderdale Broadcasting Co. (B3-P-3785), Ft. Lauderdale, Fla. Both applicants request the use of 1400 kc.

Old Dominion Broadcasting Corp. (B2-P-3978), Lynchburg, Va.; Blue Ridge Broadcasting Corp. (B2-P-2917), Roanoke, Va.; Piedmont Broadcasting Corp. (WBTM), Danville, Va., John M. Rivers (WCSC), Charleston, S. C. All four applicants request authority to operate on 1390 kc.

Central Broadcasting Co. (B4-P-3809); Wisconsin State Broadcasting Co. (B4-P-4039). Both applications are for a new station at Madison, Wisc., to operate on 1480 kc.

Permain Basin Broadcasting Co. (B3-P-4022); Wendell Mayes, C. C. Woodson and J. S. McBeath (B3-P-3901), d/b as Odessa Broadcasting Co.; Ben Nedow, t/r as Ector County Broadcasting Co.; Dorrance D. Roderick (B3-P-4038). All four applications are for new stations at Odessa, Texas, to operate on frequency 1450 kc.

Albany Broadcasting Co. Inc. (B1-P-3945), Albany, N. Y.; Fort Orange Broadcasting Co. Inc. (B1-P-4020), Albany, N. Y.; WHEC, Inc. (WHEC) (B1-P-3976), Rochester, N. Y. All three applications request the frequency 1460 kc.

Golden Gate Broadcasting Corp. (KSAN) (B5-P-3913), San Francisco, Calif., 1460 kc., 1 KW., unlimited; California Broadcasting, Inc. (B5-P-4076), Bakersfield, Cal., 1460 kc., 1 KW., unlimited; Bakersfield Broadcasting Co. (New), Bakersfield, Cal., 1490 kc., 250 watts, unlimited; L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Co. (New), Santa Cruz, Cal., 1460 kc., 500 watts, unlimited; Cascade Broadcasting Co., Inc. (KTYW) (B5-P-3889), Yakima, Wash., 1460 kc., 1 KW., unlimited; Amphlett Printing Co. (B5-P-3912), San Mateo, Cal., 1490 kc., 250 watts, unlimited; Luther E. Gibson (B5-P-2787), Vallejo, Cal., 1490 kc., 250 watts, unlimited; San Jose Broadcasting Co. (B5-P-3921), San Jose, Cal., 1500 kc., 1 KW., unlimited. All eight applications are interrelated.

Albert S. Drolich and Robert A. Drolich, d/b as Drolich Bros. (New), Flint, Mich.; Booth Radio Stations, Inc. (New), Grand Rapids, Mich., Methodist Radio Parish, Inc. (B2-P-3836), Flint, Mich. The first two applicants request 1470 kc., and the third requests 1500 kc.

The Chesapeake Radio Corp. (New), Annapolis, Md.; Nied and Stevens (New), Warren, Ohio; Daily Telegraph Printing Co. (WHIS), Bluefield, W. Va. The first two applications request 1440 kc., WHIS increase in power on same frequency.

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George A. Ralston and Jerry C. Miller, d/b as Elgin Broadcasting Co. (B4-P-3833), Elgin, Ill.; William L. Klein (New), Oak Park, Ill.; Sidney H. Bliss, t/r as Beloit Broadcasting Co. (New), Beloit, Wis. All three applicatios request 1490 kc.

Paul D. Spearman, Jackson, Miss.; Chas. H. Russell, W. B. McCarty, T. E. Wright and C. A. Lacy, a limited partnership, d/b as Rebel Broadcasting Co. (B3-P-3755), Jackson, Miss.; Capitol Broadcasting Co., Inc., (WRAL), Raleigh, N. C.; S. E. Adcock, tr/as Stuart Broadcasting Co. (WROL) (B3-P-3616), Knoxville, Tenn.; Virginia Broadcasting Corp. (B2-P-3964), Roanoke, Va.; Wichita Broadcasters (KWFT), Wichita Falls, Texas; Durham Radio Corp. (WDNC) (B3-P-3170), Durham, N. C. All these applicants seek authority to operate on 620 kc.

Scripps-Howard Radio. Inc. (WCPO) (B2-P-3898), Cincinnati, Ohio; Queen City Broadcasting, Inc. (New), Cincinnati, Ohio; American Broadcasting Corp. (WLAP), Lexington, Ky. All three applications seek authority to operate on 630 kc.

WSAV, Inc. (WSAV) (B3-P-3679), Savannah, Ga.; Atlantic Coast Broadcasting Co. (WTMA) (B3-P-3752), Charleston, S. C. Both stations seek the frequency 630 kc.

Wichita Broadcasting Co., Inc. (B4-P-3747); Air Capital Broadcasting Co., Inc. (B4-P-3769); Wichita Beacon Broadcasting Co. (B4-P-3963); Adelaide Lilian Carrell; KAIR Broadcasting Co., Inc.; KTOP. Inc. (B4-P-3727); Emporia Broadcasting Co., Inc. (KTSW) (B4-P-3457). The first five applications request new stations at Wichita, Kans., on 1490 kc.; Station KTSW requests a change of frequency from 1400 to 1490 kc.; KTOP, Inc., requests 1400 kc., contingent upon a grant of the application of KTSW from 1400 to 1490 kc.

FCC CLARIFIES POSITION ON DIATHERMY INTERFERENCE

The Federal Communications Commission on Thursday (25) made public the following letter:

"H. G. Fischer & Co.
2323-2345 Wabansia Avenue
Chicago 47, Ill.

Attention: Mr. A. W. Mathis, Vice President

"Gentlemen:

"This is with reference to your letter of September 10, 1945, concerning regulation of the operation of diathermy equipment in order to prevent interference to radio communication. In discussing certain legal problems with respect to the Commission's authority to engage in such regulation you refer to our recent allocation of three frequency bands for the use of medical and industrial equipment and to the following statement from page 142 of our report of May 25, 1945: 'It is contemplated that equipment manufactured subsequent to May 25, 1945, the date of our report will be required to be operated within assigned channels or in such a manner as to prevent interference to radiocommunication.' According to your letter there is some belief among manufacturers of diathermy equipment, with which you disagree, that the Commission is without authority to require that diathermy equipment be operated within assigned channels or in such a manner as to prevent interference to radiocommunication and does not intend to adopt or enforce regulations designed to achieve the elimination of such interference. You suggest that a clarifying statement from us might prove helpful to manufacturers of such equipment.

"In accordance with our report of May 25, 1945, and our public notice of September 25, 1945, copies of which are enclosed, we are now considering the promulgation of proposed Standards of Good Engineering, which will be subject to hearings and oral argument covering the operation of the equipment in question. With respect to any such standards that may be adopted it is contemplated that equipment manufactured subsequent to May 25, 1945, the date of the Commission's report on the allocation of frequencies for medical and industrial use, will be required to operate within the allocated frequency bands with reasonable suppression of harmonic radiations or, if operated outside of such bands, will be required to be operated in accordance with prescribed engineering standards in order to prevent interference to authorized communication services including, for example, military, police, aircraft, and other communication services of particular importance in the safeguarding of life and property. Equipment manufactured prior to the above date will be permitted to operate indefinitely as in the past except that where interference will result from such operation steps necessary to eliminate the interference will be required. It is our considered opinion that the Commission would clearly be within its authority in adopting such engineering standards and requiring that diathermy and similar equipment, the operation of which causes interference to radiocommunication be operated in accordance with the prescribed standards in order to prevent or reasonably reduce the interference in question.

"You will note that the enclosed notice of September 25, 1945, also sets forth a procedure under which pending the promulgation and adoption of Standards of Good Engineering Practice the Commission will test for type-approval diathermy equipment submitted by manufacturers designed to operate within one or more of the frequency bands allocated for such equipment. Equipment found to be capable of operation within one or more of such bands with reasonable suppression of harmonic radiations will be included in a list made available to the public. As pointed out in the public notice, although inclusion of equipment on the Commission's list of type-approved equipment will not constitute a guarantee of performance, it will afford the purchaser reasonable assurance that under normal operating conditions the listed equipment can be expected to operate within a band or bands allocated for such equipment.

"The question which you also raise whether there would be legal liability on the part of a manufacturer or seller to a purchaser who had been sold equipment manufactured subsequent to May 25, 1945, and incapable of being operated in conformance with standards the Commission may adopt is one of private law which would not fall within our jurisdiction. However, we fully agree that as a matter of basic fairness the sale of such equipment should at least be accompanied by a clear explanation of the facts as outlined above and the possible consequences of purchasing equipment not designed to operate within the frequency bands allocated for that purpose. For example, the purchaser of such equipment should understand that in the relatively near future he may find it necessary to incur some expense in order to prevent interference to authorized communication services resulting from the operation of his equipment. Under such circumstances we strongly urge that every effort be made to sell equipment capable of operating within the frequency bands referred to above.

"Your interest in writing to us concerning this matter is greatly appreciated. It will also be appreciated if in your capacity as chairman of the RTPB Committee on medical equipment you will distribute the enclosed copies of our Public Notice of September 25 to those represented on your Committee. If this is done we can have greater assurance that the notice has come to the attention of those who would be particularly concerned with it. We will be glad to furnish any additional copies of the notice that you may need.

"Sincerely yours,
"/s/ PAUL A. PORTER,
Chairman."

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 29. They are subject to change.

(Continued on next page)

Monday, October 29

Oral Argument Before the Commission

WKBW—Buffalo Broadcasting Corporation, Buffalo, N. Y.—Renewal of license (main and auxiliary); **1520 kc.,** 50 KW., unlimited DA-day and night.

WGR—Buffalo Broadcasting Corporation, Buffalo, New York—Renewal of license (main and auxiliary); **550 kc.,** 1 KW. night, 5 KW. day, unlimited DA-night.

Wednesday, October 31

WCHS—Charleston Broadcasting Company, Charleston, W. Va.—Renewal of license; **580 kc.,** 5 KW., unlimited DA-night.

Thursday, November 1

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary)—**1000 kc.,** 5 KW. (main), 1 KW. (aux.); unlimited.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary)—**950 kc.,** 5 KW. (main), DA-night; 1 KW. (aux.); unlimited.

NEW—George H. Thomas, James J. Davidson, C. P. Jr., and Daniel H. Castille, a partnership, doing business as New Iberia Broadcasting Company, New Iberia, La.—**1240 kc.,** 250 W.; unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WMT—American Broadcasting Stations, Inc., Cedar Rapids, Iowa.—Granted construction permit to install a new transmitter.

KVWC—Northwestern Broadcasting Co., Vernon, Texas.—Granted construction permit to install new vertical antenna with FM antenna mounted on top.

KPKW—Western Radio Corp., Pasco, Wash.—Granted license to cover construction permit which authorized a new station to operate on **1340 kc.,** with 250 watts power, unlimited time. Also granted authority to determine operating power by direct measurement. The licensee is granted a waiver of Sec. 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) that frequency checks by an external standard will be submitted to the Commission weekly; and (b) that approved frequency monitor will be installed as soon as such equipment becomes available.

KFGQ—Boone Biblical College, Boone, Iowa.—Granted authority to determine operating power by direct measurement of antenna power.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Granted authority to determine operating power by direct measurement of antenna power.

W3XUJ—Radio Corp. of America, Princeton, N. J.—Granted extension of special temporary authority to operate on television channels 17 and 18 **(282-294 mcs.)** with power of 5 KW. (peak), A5 emission and special for FM for a period beginning Oct. 23, and ending no later than Nov. 21, 1945, in order to conduct tests on television equipment.

Raoul A. Cortez, San Antonio, Texas.—Granted construction permit for new standard broadcast station to operate on **1300 kc.,** 1 KW. power, daytime only. (B3-P-3743)

LICENSE RENEWALS

Licenses for the following stations were extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending January 1, 1946.

KALE, Portland, Ore.; KDYL and auxiliary, Salt Lake City, Utah; KFAC, Los Angeles; KFBB, Great Falls, Mont.; KFGQ, Boone, Iowa; KFH, Wichita, Kans.; KFJZ and auxiliary, Fort Worth; KFOX, Long Beach, Cal.; KGB, San Diego; KGBX, Springfield, Mo.; KGCU, Mandan, N. Dak.; KGGM, Albuquerque, N. Mex.; KGHF, Pueblo, Colo.; KGLO, Mason City, Iowa; KGVO, Missoula, Mont.; KHSL, Chico, Cal.; KID, Idaho Falls, Idaho; KIT, Yakima, Wash.; KMO and auxiliary, Tacoma, Wash.; KOIL, Omaha; KOL, Seattle; KRGV, Weslaco, Texas; KRIS, Corpus Christi, Texas; KRNT, Des Moines; KSCJ and auxiliary, Sioux City, Iowa; KSRO, Santa Rosa, Cal.; KTFI, Twin Falls, Idaho; KUOA, Siloam Springs, Ark.; KVOA, Tucson, Ariz.; KVOR, Colorado Springs; KWBR, Oakland, Cal.; KYA, San Francisco; KXYZ and auxiliary, Houston, Texas; WADC, Village of Tallmadge, Ohio; WATR, Waterbury, Conn.; WBBR, Brooklyn, N. Y.; WDOD, Chattanooga; WDRC, Hartford, Conn.; WDSU and auxiliary, New Orleans; WEBC and auxiliary, Duluth; WEVD and auxiliary, New York City; WFBC, Greenville, So. Car.; WFBM and auxiliary, Indianapolis; WFBR and auxiliary, Baltimore; WFIN, Findlay, Ohio; WHAZ, Troy, N. Y.; WHBF and auxiliary, Rock Island, Ill.; WHBI, Newark, N. J.; WHBL, Sheboygan, Wis.; WHIO, Dayton, Ohio; WHKY, Hickory, No. Car.; WHLD, Niagara Falls, N. Y.; WIBA, Madison, Wis.; WISH, Indianapolis; WJAS, Pittsburgh, Pa.; WJDX, Jackson, Miss.; WJHP, Jacksonville, Fla.; WKAT and auxiliary, Miami Beach, Fla.; WKNE, Keen, N. H.; WKST, New Castle, Pa.; WLOL, Minneapolis; WMRO, Aurora, Ill.; WNAC and auxiliary, Boston; WNBF, Binghamton, N. Y.; WNBZ, Saranac Lake, N. Y.; WNEL, San Juan; WOL and auxiliary, Washington, D. C.; WOOD and auxiliary, Grand Rapids; WORK, York, Pa.; WORC, Worcester, Mass.; WPDQ, Jacksonville, Fla.; WRR and auxiliary, Dallas, Texas; WSAI and syndicate amplifier, Cincinnati; WSMB, New Orleans; WSPR, Springfield, Mass.; WTAQ, Green Bay, Wis.; WTCN, Minneapolis; WXYZ and auxiliary, Detroit; WTOC, Savannah, Ga.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending January 1, 1946.

KOB, Albuquerque; KPMC, Bakersfield, Cal.; KRLD, Dallas; KVOO, Tulsa; WBAL and auxiliary, Baltimore; WBT, Charlotte, N. C.; WDGY, Minneapolis; WFTC, Kinston, N. C.; WINS and auxiliary, New York City; WLIB and auxiliary, Brooklyn; WSKB, McComb, Miss.; WWVA, Wheeling, W. Va.

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted renewal of license on a temporary basis only for the term November 1, 1945 to November 1, 1948, said temporary license to contain the following clause: "This license is granted upon a temporary basis only and upon the express condition that it is subject to whatever action may be taken by the Commission upon the pending application for renewal of license of Station WGBF. Nothing contained herein shall be construed as a finding by the Commission that the operation of the station is or will be in the public interest beyond the express terms hereof."

WHFM—Stromberg-Carlson Co., Rochester, N. Y.—Granted renewal of FM broadcast station license for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

KORN—The Nebraska Broadcasting Corp., Fremont, Neb.—Granted renewal of license for the period ending February 1, 1947, Comr. Durr voting for further inquiry.

KPFA—Peoples Forum of the Air, Helena, Mont.—Granted renewal of license for the period ending August 1, 1946, Comr. Durr voting for further inquiry.

PROPOSED DECISIONS

The Commission announced adoption of a Proposed Decision (B 223, Docket 6626), to deny the application of Broadcasting Service Organization, Inc., owner of WORL, Boston, Mass., for renewal of license (Main and Auxiliary transmitters), to operate on 950 kilocycles, with power of 1 KW. (500 watts for the Auxiliary), daytime hours.

STRATOVISION

The Commission granted the applications of Westinghouse Radio Stations, Inc., for five Developmental stations to be used within the continental United States for testing out a new method of broadcasting publicized by the applicant under the name of "Stratovision." It is claimed this will enable one station to serve extremely large areas, or that several stations can be made into a network rendering television, FM and facsimile broadcast services to the entire United States.

Under the proposed system, four transmitters will be installed in an airplane operating over a designated area at approximately 30,000 feet above the earth, two to be used for FM broadcast tests, one for television tests, and one for relaying tests to another plane. A fifth station will be located on the ground for the purpose of relaying test signals, programs, or other necessary communications to the plane in flight. Appropriate frequencies to be used will be assigned by the Commission's Chief Engineer from time to time; 5 KW. power.

The applicant indicates the chief items of the program experimentation will be:

1. Study of effects brought about by ground reflections on signals transmitted from moving planes especially with respect to fading, fluttering and ghosting.
2. Feasibility of relaying programs from one moving plane to another.
3. Check effectiveness of antenna designs and other compact equipment installed in planes.
4. Determine area served by transmission from 30,000 feet.
5. Determination of best methods of transmitting programs and other communications from ground to plane in flight.

MISCELLANEOUS

KJBS—KJBS Broadcasters, a Partnership, consisting of Wm. B. Dolph, et al., San Francisco, Cal.—Adopted order granting petition requesting reconsideration and grant of construction permit to install new transmitter and increase in power; ordered that the application be removed from the hearing docket, and application for increase in power to 1 KW. L-WTAM on **1100 kc.,** granted. (B5-P-3685).

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted construction permit to install new directional antenna for night use.

APPLICATIONS FILED AT FCC

590 Kilocycles

WGTM—Penn Thomas Watson, Wilson, N. C.—Construction permit to change frequency from **1340** to **590 kc.,** increase power from 250 watts to 5 KW., install new transmitter and directional antenna for day and night use, and change transmitter location. Amended re change in type of transmitter and changes in directional antenna system.

620 Kilocycles

NEW—Donald Flamm, New York, N. Y. (P. O. 25 Central Park West)—Construction Permit for a new standard Broadcast station to be operated on **620 kc.,** power of 5 KW. and unlimited hours of operation using directional antenna day and night.

710 Kilocycles

WHB—WHB Broadcasting Co., Kansas City, Mo.—Construction permit to install new transmitter, directional antenna for day and night use, move transmitter from North Kansas City, Missouri, to Hickman Mills, Missouri, change frequency from **880** to **710 kc.,** increase power from 1 KW. to 5 KW., and hours of operation from daytime to unlimited. Amended: to change transmitter location.

KMPC—KMPC, The Station of the Stars, Inc., Los Angeles, Calif.—Construction permit to increase power from 10 KW. to 50 KW., install new transmitter and make changes in directional antenna for day and night use.

790 Kilocycles

NEW—Minneapolis Broadcasting Corp., WCTN, Minneapolis, Minn.—Construction permit to change frequency from **1280 kc.** to **710 kc.,** power from 1 KW. night, 5 KW. daytime, to 10 KW. day and night, install new transmitter and directional antenna for night use and change transmitter location. Amended: re change in transmitter location and changes in directional antenna for night use.

NEW—G. H. Nelson, Wendell Mayes and C. C. Woodson d/b as Lubbock County Broadcasting Co., Lubbock, Texas (P. O. Box 513, Brownwood, Tex.)—Construction permit for a new standard broadcast station to be operated on **790 kc.,** power of 1 KW., unlimited hours of operation, using directional antenna for night use.

870 Kilocycles

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—Construction permit for change in frequency from **1490** to **870 kc.,** change hours of operation from unlimited time to limited time. Amended: re change in antenna system, change in power from 250 watts to 1 KW., change in type of transmitter and change transmitter location.

880 Kilocycles

NEW—Farwest Broadcasting Co., Bellingham, Wash. (P. O. c/o E. L. Kick, Box 74) Everett, Wash.—Construction permit for a new standard broadcast station to be operated on **880 kc.,** power of 1 KW. and unlimited hours of operation.

900 Kilocycles

NEW—Wayne M. Nelson, Rockingham, N. C. (P. O. Box 72, Concord, N. C.)—Construction permit for a new standard broadcast station to be operated on **900 kc.,** power of 1 KW. and daytime hours of operation.

960 Kilocycles

NEW—The Eastern Shore Broadcasting Co., Preston, Md.—Construction permit for a new standard broadcast station to be operated on **960 kc.,** power of 250 watts and daytime hours of operation. Amended: to change power to 500 watts, hours of operation to unlimited time, changes in transmitting equipment and installation of directional antenna for night use.

KOVO—KOVO Broadcasting Co., Provo, Utah—Construction permit to change frequency from **1240** to **960 kc.,** increase power from 250 watts to 1 KW., install new transmitter and directional antenna for night use and change transmitter location. Amended: re changes in proposed directional antenna system for night use.

NEW—Maricopa Broadcasters, Inc., Phoenix, Ariz. (P. O. c/o Herbert M. Bingham, 921 Tower Bldg., Washington, D. C.)—Construction permit for a new standard broadcast station to be operated on **960 kc.,** power of 5 KW., directional antenna night and unlimited hours of operation.

1170 Kilocycles

NEW—Larry Finley and Clinton D. McKinnon d/b as Finley-McKinnon Broadcasting Co., San Diego, Calif.—Construction permit for a new standard broadcast station to be operated on **1170 kc.,** power of 250 watts and unlimited hours of operation. Amended: to change power to 5 KW., change type of transmitter, installation of directional antenna for day and night use and specify a transmitter site.

1190 Kilocycles

KEX—Westinghouse Radio Stations, Inc., Portland, Ore.—Construction permit to increase power from 5 KW. to 50 KW., install new transmitter and directional antenna for night use and change studio and transmitter location.

1230 Kilocycles

NEW—Howard W. Davis tr/as The Walmac Company, Corpus Christi, Texas (P. O. Nat'l Bank of Commerce Bldg., San Antonio, Tex.)—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts and unlimited hours of operation.

1240 Kilocycles

NEW—Howard W. Davis tr/as The Walmac Company, Austin, Tex. (P. O. Nat'l Bank of Commerce Bldg., San Antonio, Tex.)—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

NEW—J. W. Birdwell, Nashville, Tenn.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation. Amended: re changes in transmitting equipment.

NEW—Tri-Cities Broadcast Co., Florence, Ala. (P. O. 301 Court St.)—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

1340 Kilocycles

NEW—Durham Broadcasting Co., Inc., Durham, N. C.—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation. Amended: to change frequency to **730 kc.**, power to 500 watts, hours of operation to daytime, change type of transmitter, antenna changes and specify a transmitter site.

NEW—Garvice D. Kincaid, Lexington, Ky. (P. O. Hernando Bldg.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

1380 Kilocycles

NEW—United Broadcasting Co., a copartnership composed of George Mardikian, George Snell, Barnard Floyd Farr, S. A. Melnicoe and Alfred Aram, San Jose, Calif. (P. O. 401 S. 16th St.)—Construction permit for a new standard broadcast station to be operated on **1380 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Northeastern Indiana Broadcasting Co., Inc., Fort Wayne, Ind. (P. O. 1335 Lincoln Bank Tower)—Construction permit for a standard broadcast Station to be operated on **1380 kc.**, power of 5 KW., unlimited hours of operation, using directional antenna day and night.

1400 Kilocycles

NEW—KTOP, Inc., Topeka, Kans.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation. Amended: re stockholders and change type of transmitter.

NEW—Broadcasting Corporation of America, Indio, Calif. (P. O. 3401 Russell St., Riverside, Calif.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Atlantic Broadcasting Co., Savannah, Ga.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation. Amended: re antenna changes.

NEW—Richard T. Sampson, Banning, Calif. (P. O. 1151 N. Jaurez St.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 100 watts and unlimited hours of operation.

KELD—Radio Enterprises, Inc., El Dorado, Ark.—Transfer of control of licensee corporation from T. H. Barton to Wilfred N. McKinney (55 shares common stock—55%).

1450 Kilocycles

NEW—Cur-Nan Company, Brockton, Mass. (P. O. 10 Post Office Square, Boston, Mass.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—W. R. Frier, Cartersville, Ga. (P. O. 111-113 W. Main St.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Radio Sales Corporation, Twin Falls, Idaho (P. O. Box 536)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Arkansas Airwaves Co., North Little Rock, Ark. (P. O. c/o John F. Wells, 217 E. 3rd St., Little Rock, Ark.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Edisto Broadcasting Co., Orangeburg, S. C.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Orangeburg Broadcasting Corp., Orangeburg, S. C.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: re changes in issued stock and changes in transmitting equipment.

NEW—Russell E. Kaliher, Bemidji, Minn.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

1460 Kilocycles

NEW—California Broadcasters, Inc., Bakersfield, Calif. (P. O. 5515 Melrose Ave., Hollywood, Calif.)—Construction permit for a new standard broadcast station to be operated on **1460 kc.**, power of 1 KW. and unlimited hours of operation using directional antenna day and night.

1490 Kilocycles

NEW—J. O. Emmerich, Bogalusa, Louisiana—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter.

NEW—Air Capital Broadcasting Company, Inc., Wichita, Kansas—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter.

1520 Kilocycles

KOMA—KOMA, Inc., Oklahoma City, Okla.—Construction permit to increase power from 5 KW. to 50 KW., install new transmitter and directional antenna for night use, and change transmitter location.

1570 Kilocycles

NEW—Herbert W. Brown and David A. Brown, d/b as Central Valley Radio, Lodi, Calif.—Construction permit for a new standard broadcast station to be operated on **1570 kc.**, power of 250 watts and unlimited hours of operation. Amended: re changes in transmitting equipment and antenna.

1600 Kilocycles

NEW—Roy A. Lundquist and D. G. Wilde, co-partners d/b as The Skagit Valley Broadcasting Co., Mount Vernon, Wash. (P. O. 5520 11th Ave., N. E., Seattle, Wash.)—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 250 watts and unlimited hours of operation.

(Continued on next page)

NEW—San Joaquin Broadcasters, Inc., Modesto, California (P. O. Room 25, Black Bldg.)—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 250 watts and unlimited hours of operation.

FM APPLICATIONS

NEW—Guillermo Cortada, Ramon Cortada and George A. Mayoral, New York, N. Y.—Construction permit for a new FM broadcast station to be operated with a coverage of 8,600 square miles on **99.9 mc.** Amended: to change name of applicant to Supreme Broadcasting System, Inc., change frequency to Channel #55 **(98.9 mc.)**, coverage to 7,691 square miles, change type of transmitter, antenna and transmitter and studio location.

NEW—The Evening Star Broadcasting Co., Washington, D. C.—Construction permit for a new FM broadcast station to be operated on **47.1 mc.** with coverage of 5,600 square miles. Amended: to change frequency to Channel #57 **(99.3 mc.)** change transmitting equipment, antenna and transmitter location.

NEW—WLIB, Inc., New York, N. Y.—Construction permit for a new FM Broadcast station to be operated on **45.1 mc.**, with coverage of 8,430 square miles. Amended: re change in transmitter location and antenna.

NEW—Metropolitan Broadcasting Service, New York, N. Y. (P. O. 111 Broadway, c/o Orie R. Kelly)—Construction permit for a new FM broadcast station to be operated with coverage of 9,650 square miles.

NEW—Cowles Broadcasting Co., Washington, D. C. (P. O. 1627 K St., N. W.)—Construction permit for a new FM broadcast station to be operated on Channel #48 **(97.5 mc.)**

NEW—Robert K. Hancock and Stanworth C. Hancock, copartners d/b as Santa Maria Daily Times, Santa Maria, Calif.—Construction permit for a new FM broadcast station to be operated with a coverage of 248 square miles.

NEW—KARM, The George Harm Station, Fresno, Calif.—Construction permit for a new FM broadcast station to be operated on Channel #40 **(95.9 mc.)**.

NEW—Unity Corporation, Inc., Erie, Penna. (P. O. 1014 Edison Bldg., Toledo, Ohio)—Construction permit for a new FM broadcast station to be operated with coverage of 4,940 square miles.

WEAF-FM—National Broadcasting Company, Inc., New York, N. Y.—Construction permit for change in frequency from **45.1 mc.** to Channel #35, **94.9 mc.** Amended: to change requested frequency from Channel #35, **94. 9 mc.** to Channel #55, **98.9 mc.**

NEW—Knight Radio Corp., Akron, Ohio—Construction permit for a new FM broadcast station to be operated on Channel #53 **(98.5 mc.)**.

NEW—Knight Radio Corp., Detroit, Mich.—Construction permit for a new FM broadcast station to be operated on Channel #47 **(97.3 mc.)**.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Coro, Inc., 47 West 34th St., New York, and 167 Point St., Providence, R. I., and its officers, Gerald E. Rosenberger, Carl Rosenberger and Henry Rosenblatt, are charged in a complaint with failing to disclose that imported imitation pearl necklaces they sell are of foreign origin. (5395)

Excelsior Laboratory, Inc.; Dorothy Flatter, trading as Dorothy Gosewisch, and O. R. Flatter, all of 453 Richmond Terrace, Staten Island, New York, selling and distributing a medicinal preparation described as "Gosewisch Odorless Garlic Tablets," are charged in a complaint with misrepresentation. (5394)

Premium Products Co., 29 North Sixth Street, Minneapolis, selling and distributing candy, nuts and novelty merchandise, is charged in the complaint with violation of the Federal Trade Commission Act by selling to jobbers and retailers certain assortments of merchandise so packed and assembled as to involve the use of a lottery scheme or game of chance when the merchandise is sold and distributed to the purchasing public. (5393)

Standard Oil Co. has been ordered to cease and desist from violation of the Robinson-Patman Act by discriminating in price among different purchasers of its gasoline. (4389)

Studio Sports Mode, et al.—Violation of the Wool Products Labeling Act is alleged in a complaint issued against Jack Takiff, trading as Studio Sports Mode, 828 South Broadway, Los Angeles; Eddie Ellen and Philip Takiff; and Firestone Tire and Rubber Co., Akron, and its subsidiary, Firestone Tire and Rubber Company of California, Los Angeles. Allen formerly was a co-partner with Jack Takiff in operation Studio Sports Mode, and Philip Takiff is presently general manager of the production end of Studio Sports Mode, which is engaged in the manufacture of wearing apparel known as "loafer coats." The coats, which are composed in whole or in part of wool, reprocessed wool or reused wool, are sold to Firestone Tire and Rubber Company of California for resale. (5396)

Bertram A. Unger, trading as Cello-Plastic Chemical Co., Cypress and Aspen Streets, Pittsburgh, is charged in a complaint (5390) with misrepresenting the properties and qualities of paints and varnishes he sells under the name Cello-Plastic. Unger's two sons also are engaged in the sale of paints and varnishes and they are named respondents in separate complaints. One complaint (5392) is directed against Paul Unger, trading as Cello-Nu Products, 65 East Lake Street, Chicago, and the other (5391) against Ervin Unger, trading as Perma Plastic Products, 1138 Schofield Building, Cleveland.

STIPULATION

During the past week the Commission has announced the following stipulation:

Columbia Mill Inc., 225 Fifth Avenue, New York, manufacturing and distributing window shades, has agreed that a certain provision incorporated in a stipulation approved May 15, 1944, should be amended. (3845)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Dip Net Smelt Fishermen's Association and its member fishermen, some 70 in number, have been ordered to cease and desist from engaging in or continuing a conspiracy which was found to have restrained and suppressed competition in the production and interstate sale of smelt fish caught in the Cowlitz River at or near Kelso, Washington. (5055)

Stromberg Hatchery.—Two orders prohibiting representations in connection with the sale of baby chicks and chickens have been issued. One order (5162) is directed against Ernest Stromberg, Josephine Stromberg, Betty Snyder and Loyl Stromberg, trading as Stromberg Hatchery, with their principal place of business at Fort Dodge, Iowa, and branch offices at Minneapolis and St. Paul, Minn., and Madison City, Marshalltown and Boone, Iowa. The other order (5204) is directed against Mort Duff, Bert L. France and Mrs. Pearle France, trading as Interstate Hatcheries, Sioux City, Iowa. The respondents Mort Duff and Bert L. France formerly operated a business known as the Cornhusker State Hatchery in Omaha, Nebraska, which was discontinued about July 1, 1944.

FTC CASE CLOSED

The Federal Trade Commission has ordered that the case growing out of the complaint against the Waterbury Clock Co., also trading as The Ingersoll-Waterbury Co., Waterbury, Conn., be closed without prejudice to the right of the Commission to reopen the same and resume trial thereof.

The respondent has executed a stipulation whereby it agrees to cease and desist from using the practices alleged in the complaint to be unlawful.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 44, November 2, 1945

NAB-FMBI MERGER PERFECTED

At a meeting held in Washington on Wednesday and Thursday (31-1) representatives appointed by the FMBI and NAB Boards met to perfect the final details under which FMBI activities would be transferred to the newly created NAB FM Department. Attending on behalf of FMBI were Walter Damm, President, Wayne Coy, Gordon Gray and John Shepard, 3rd. NAB was represented by Paul W. Morency and Dr. Frank Stanton. Leslie Johnson, the other member named by NAB, was prevented by other business from attending. Also present were NAB President Justin Miller, Executive Vice President A. D. Willard, and C. E. Arney, Jr., Secretary-Treasurer.

Under the plan, FMBI will take out NAB memberships for all its present members. The committee which up to now has been a joint committee of the two associations becomes the Executive Committee of the NAB FM Department, with Walter Damm as Chairman.

Robert T. Bartley, who was the first Secretary of FMBI and who for the past two years has been the Director of Government Relations for NAB, becomes the Director of the new department. He will, however, continue in his capacity as Director of Government Relations for NAB.

The FMBI offices in Washington at 1730 I Street, N. W. will be taken over by NAB to house the FM Department.

The purposes and objectives of the FM Department of NAB were set forth by the Executive Committee as follows:

1. To seek to secure the assignment of sufficient additional channels for FM so that broadcasting may develop in the public interest to its fullest potentialities without the artificial barriers, restraints and regulation now imposed upon it.
2. The issuance of three-year licenses to FM licensees.
3. The revision of the numbering of FM channels to begin with the highest frequency instead of the lowest in order that the numbering will be consecutive when the band is extended downward.
4. The use of joint program logs during the period of duplicate operation.
5. The use of joint call letters during the duplicate operation.
6. The revision of the six-hour minimum rule to eliminate requirement of three hours before 6:00 p.m. and three hours after 6:00 p.m.
7. The use of numerical instead of frequency designations on FM receiving sets.
8. The compilation of information with respect to FM receiver sales.

The committee had a conference with Paul A. Porter, FCC Chairman, for the purposes of acquainting him with the new Department's plans and discussing certain of the above objectives which would require immediate attention.

ED KIRBY BECOMES NAB P.R. COUNSEL

Colonel Edward M. Kirby, recently retired from the U. S. Army, where he served as chief of the War Department's Radio Branch, has been retained as Public Relations Counsel to the NAB, it was announced today by Justin Miller, NAB president.

In anticipation of broadened NAB public relations activity, Mr. Kirby will next week begin an exhaustive study of all phases of the industry's public relations position, Mr. Miller stated.

Mr. Kirby served as the first NAB Director of Public Relations, following its reorganization in 1938. With Paul F. Peter, former NAB Director of Research, he set up the present NAB Bureau of Broadcast Advertising. At the Atlantic City convention in 1939 he helped formulate the NAB Code and became secretary of the Code Committee.

In 1940, at the request of the War Department, has was loaned full time to the Army to serve as the Civilian Advisor for radio to the Secretary of War. In such capacity he organized the Radio Branch of the Bureau of Public Relations and was commissioned a Lieutenant Colonel in May 1942. Promotion to the rank of full colonel came one year later. As chief of the Radio Branch, Mr. Kirby laid the foundation and developed the policies for the Army's use of American radio facilities during the emergency period and during the war.

Under his direction, the use of shortwave radio beamed to troops overseas was first developed in 1941, and in 1942 he inaugurated "Command Performance" and "News From Home". In March 1942 he initiated the first "Army Hour," official radio program of the War Department. In 1943 he went to North Africa and to England to introduce the wire recorder as a means of front line combat radio reporting. In the spring of 1944, he returned to England with Brig. Gen. David Sarnoff, RCA president, then with the U. S. Army Signal Corps, to coordinate plans for the news coverage of the Allied invasion of Europe. Following this, he was named Chief of SHAEF Broadcasting Services by Gen. Dwight D. Eisenhower, to direct the allied radio service to invasion troops under his command on June 7, 1944.

In November 1944, he returned to his permanent post at the War Department. In August and September last, he was the escorting officer of the American Broadcasting Mission to Europe. Last spring he was given the George Foster Peabody Radio Award for "Yankee ingenuity on a global scale".

A graduate of VMI (1926—AB), Mr. Kirby was commissioned a second lieutenant in the Field Artillery in 1926. Before entering radio, he was on the editorial staff of the *Baltimore Evening Sun*. Later, as account executive for C. P. Clark, Inc., Nashville advertising agency, he handled the Jarman (now General) Shoe Corporation advertising. In 1932 he was named Director of Public Relations for the National Life and Accident Insurance Co. and its station WSM, Nashville, Tenn. He married the former Marjorie Arnold, daughter of the Dean of Vanderbilt University Law School. They have one daughter. He is a member of the National Press Club and the Reserve Officers Association.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

EMPLOYER-EMPLOYEE RELATIONS DISCUSSED

On Tuesday (30) a number of industry leaders responding to the invitation of NAB President Justin Miller attended a meeting in Washington to discuss certain phases of industry employer-employee relations with particular reference to the recent action of the A. F. of M. respect to duplicating orchestras for AM and FM broadcasts.

President Miller, desiring to familiarize himself with the exact nature of the demand and also with the entire background of the relationships between the industry and the A. F. M., invited industry leaders from both networks and stations, as well as the representatives of FMBI, to discuss this subject with him. No formal action was taken but it is likely that a committee, representative of all segments of the industry, will be created as an advisory group to assist President Miller with respect to future developments.

MILLER WANTS VIEWS

In a message being sent to each member of NAB this week, Justin Miller requests cooperation in bringing to his attention the membership's view with respect to NAB, its services and activities. Station managers are urged to give special attention to this message and to let Mr. Miller have the benefit of their thinking upon the subjects covered, following is the message:

"A Message to the Members of NAB

"The morale of an organization such as the National Association of Broadcasters depends, largely, upon understanding between the different members of the Association and a belief that the Association is doing everything it can to serve their best interests. As a part of the process of securing such an understanding, it is, of course, highly necessary that your new President should, himself, understand the problems and needs of the industry and the desires of the members.

"To that end I request that you answer for me each of the three following questions:

"(1) What services, which NAB is now performing for you, do you value most highly?

"(2) What services, which NAB is now performing for you, should be done better?

"(3) What should NAB do for you which it is not doing at the present time?

"You will understand that as a Judge I became well accustomed to hearing both sides of contested cases. Please do not hesitate, therefore, to tell me frankly and fully just what you think, in answer to each question submitted.

"Thanking you for your assistance and with all good wishes, I am

(S.) Justin Miller."

PEABODY AWARDS DEADLINE

Athens, Ga.—The deadline for 1945 George Foster Peabody Radio Award entries will be January 7, 1946.

This is announced in a new pamphlet which has just been issued by the Henry W. Grady School of Journalism and sent to all radio stations and listening post committees throughout the United States.

This year's Peabody selections will coincide with the 25th anniversary of broadcasting and therefore will, on this account, have added significance to the radio industry of this country and the world, Dean John E. Drewry of the Grady School pointed out.

Entries this year will be considered in seven classifications as follows:

1. That program or series of programs inaugurated and broadcast during 1945 by a regional station (above 1000 watts) which made an outstanding contribution to the welfare of the community of region the station serves. 2. That program or series of programs inaugurated and broadcast during 1945 by a local station (1000 watts or under) which made an outstanding contribution to the welfare of the community the station serves. 3. Outstanding reporting and interpretation of the news. 4. Outstanding entertainment in drama. 5. Outstanding entertainment in music. 6. Outstanding educational program. 7. Outstanding children's program.

Recommendations of listen-post groups will be made to the national board through the Henry W. Grady School of Journalism. Similar committees have been set up in many of the institutions affiliated with the American Association of Schools and Departments of Journalism. Their recommendations are handled in a similar manner.

Final selections are made by a University of Georgia faculty committee and a national advisory board headed by Edward Weeks, editor, Atlantic Monthly, Boston, and will be announced early in 1946.

NATIONAL RADIO WEEK

November 4–10

Radio's 25th Anniversary

SALUTES FROM OTHER NATIONS, INDUSTRY RECORD OF PUBLIC SERVICE SENT TO STATIONS

Congratulatory messages from England, France, Denmark, Australia, South Africa, China and Norway and a collection of material illustrating radio's quarter century of service to civic, military, government and social organizations of America went to all stations air mail Thursday, November 1, in Special Twenty-fifth Anniversary Bulletin No. 23.

An interesting history of communications, prehistoric to present day, and a digest of salient facts about the American system of broadcasting made up sections 3 and 4 of this Bulletin, which should aid program and promo-

(Continued on next page)

tion departments in climaxing National Radio Week activities on and off the air.

The Bulletin called attention to the news value of the congratulations from other nations, which we hope resulted in their use by station news rooms upon receipt. NAB Friday released the story to all wire services and the general press.

> **IMPORTANT NOTICE**
>
> **Immediately following press time for the Bulletin, messages were received from Canada, Holland and Greece and incorporated in the NAB news release. See complete story repeated in this issue of *Reports*.**

Even now, several days in advance of National Radio Week, the air has begun to resound with the story of Radio's Twenty-fifth Anniversary. The magnificent job promised the industry by the major network is becoming manifest. A mounting pile of station releases at NAB headquarters indicates that the story will also be given powerful local definition.

The impossibility of compiling a complete industry schedule of National Radio Week broadcasts and promotion activities at this time is no doubt appreciated by all. All stations, network affiliates and non-affiliates, are urged to cooperate in exchanging such schedules to the greatest possible extent, so that a full appreciation of the impact of this event upon the public may be derived.

NAB will attempt to collect for its permanent files all material connected with National Radio Week which can be procured from stations, networks and other participants.

BROADCASTERS OF WORLD JOIN AMERICAN RADIO IN ANNIVERSARY CELEBRATION

(As released by NAB News Bureau)

Poignant messages revealing the part which American radio played in keeping occupied countries informed and resolute during the war have been sent to Justin Miller, President of the National Association of Broadcasters, on the occasion of National Radio Week, November 4-10, Twenty-fifth Anniversary of Broadcasting in the United States. France, Denmark, Holland and Greece head the list with expressions of gratitude for the broadcast service rendered fallen countries during the dark days of world conquest. Appreciation of wartime cooperation is also registered by England, Canada, Australia, South Africa, China and Norway.

Complete texts of the messages follow:

. . . from FRANCE

"On the occasion of the Twenty-fifth Anniversary of American Radio, I have the honor to address a brotherly salute from the French Radiodiffusion. Our people have not forgotten that the American Radio, during our terrible years of occupation, brought permanent comfort and confidence.

"You have helped us greatly to endure the worst sorrows and we thank you.

"In the future the Radio will serve to bring the peoples together. Be assured of our total collaboration in the service of peace.

"I personally hold the warmest recollections of our recent meeting in Paris.

Sincerely yours,
JEAN GUIGNEBERT."

. . . from DENMARK

"On occasion 25th Anniversary the Danish State Radio presents most cordial congratulations and best wishes for success and progress of American broadcasting companies in years to come. At same time we express deepfelt gratitude for the great help and encouragement which American broadcasts meant to Danish listeners during German occupation of Denmark and for American broadcasting companies readiness to offer broadcasting facilities to representatives of Denmark after liberation.

"As visible token of gratitude and joy the Danish State Radio will in near future for disposal of American Government present the American minister in Copenhagen with porcelain vase with inscription.

STATSRADIO DENMARK."

. . . from HOLLAND

"Holland's Provisional National Broadcasting Organization expresses most cordial feelings and congratulations on occasion Twenty-fifth Anniversary of broadcasting in United States. We take this opportunity to express profound thanks on behalf people of the Netherlands for U. S. stations' great contribution during past years of occupation in supplying our clandestine listeners with free world news and views. We thank you too for your broadcasts to our people in the Netherlands territories in the Pacific and in the Caribbean as well as the many Dutch in Latin America. May the close broadcasting link between Netherlands listeners all over the world and American broadcasters which was forged in times of war be continued and strengthened in the days of peace to the benefit of a better mutual understanding between our peoples.

HENK VAN DE BROEK, *Chief Herrijzend*,
Nederland Broadcasting Station at Hilversum."

. . . from GREECE

"Greek National Broadcasting Institution participates wholeheartedly Twenty-fifth Anniversary, recalling with emotion contribution USA broadcasting in United Nations strife for freedom and independence. We address you warmest congratulations and best wishes.

DIRECTOR GENERAL PETIMEZAS."

. . . from ENGLAND

"On behalf of the British Broadcasting Corporation I cordially welcome this opportunity of sending to the National Association of Broadcasters a message of greeting and congratulation on the significant occasion of the Twenty-fifth Anniversary of radio broadcasting in the United States. We feel that wartime cooperation between our respective systems has rendered service to the cause of freedom and to the public of our own and other countries. We greatly hope that our continued association will in the future vigorously serve the cause of peace.

"It was our pleasure to meet you and your fellow members of the American radio industry during the recent radio executives tour. I would therefore take this occasion of recording our happy memories of that visit.

Yours sincerely,
W. J. HALEY, *Director General*."

"May I respectfully add felicitations and good wishes of New York Office of BBC.

CHARLES BREWER, *North American Director*."

. . . from CANADA

"On this occasion of the Twenty-fifth Anniversary of broadcasting in the United States may we extend to you congratulations on the magnificent service performed during that period with best wishes for even greater service and prosperity in the years to come.

HOWARD B. CHASE, *Chairman*,
Canadian Broadcasting Corporation."

. . . from AUSTRALIA

"Australian Radio sends warmest greetings and congratulations great American broadcasting services this

(Continued on next page)

significant anniversary. War gave broadcasting in Pacific its biggest job yet. If we in Australia were able succeed war-radio it was largely due cooperation our American friends. No selfishness or advantage was allowed to interfere with exchange of ideas of technical information and facilities of programmes of personnel. What you had you gave us, what we had we gave you in finest spirit team work.

"Broadcasting has assumed new vast importance but will be able to serve its great purpose fully only if international cooperation forced in war is carried into peace.

"My fervent wish is for close 'Australiamerican' radio relations.

Richard Boyer, *Chairman,*
Australian Broadcasting Commission."

. . . from SOUTH AFRICA

"On behalf of the Board of Governors, the Director-General and staff of the South African Broadcasting Corporation, the Chairman, Professor Leo Fouche, sends greetings from Johannesburg, South Africa, to Judge Justin Miller, President of the National Association of Broadcasters on the occasion of the Twenty-fifth Anniversary of the birth of broadcasting in the United States of America. Co-operation between United States broadcasting and that in South Africa goes back the whole of twenty years when a phonograph record made in Cape Town by the staff of the Cape Town Broadcasting Station was sent to the famous KDKA, from where it was broadcast and heard well in this country—half across the world. Best of luck or, in our other official language—Afrikaan—'Veels geluk,' (Pronounced 'fils khe*luk*.')

Sincerely yours,
H. M. Moolman, *Director.*"

. . . from CHINA

"It has been well known that a broadcasting facility is by any means an effective tool for the promotion of education—and for the harmony of mankind—really an essential requirement for the enlightenment of world civilization. The elevation of the United States of America to the position of a leading nation is due mainly—or at least a good part—to your bright achievement during the past twenty-five years.

"I take this opportunity to express my heartfelt admiration of the brilliant effort you have thus undertaken—and to congratulate your forthcoming Twenty-fifth Anniversary of broadcasting in the United States which will date a brighter prospect of your future contribution to the whole world.

Fung Chien, *Director of XGOY,*
Chungking."

. . . from NORWAY

"We tender our warmest congratulations on occasion Twenty-fifth Anniversary of the beginning of broadcasting in the United States. I send you personally my best wishes remembering your kindness to me in New York 1940.

Sundt, *Director General,*
Norwegian State Broadcasting."

PRESENTATION OF STATUETTE TO INDUSTRY WEDNESDAY, 8:00-8:30 P.M., EST., MUTUAL

(As released by NAB News Bureau)

As the climax to a thirty minute musical salute to twenty-five years of American radio, 8:00-8:30 P. M., EST, Wednesday, November 7, especially produced by Mutual Broadcasting System for the occasion, R. C. Cosgrove, President of the Radio Manufacturers Association, will present to Justin Miller, NAB President, on behalf of the radio industry, a silver statuette commemorating twenty-five years of public service. The presentation will highlight National Radio Week, November 4-10, Radio's Twenty-fifth Anniversary.

The musical program will originate in New York Mutual Studios, with the presentation ceremonies taking place in Washington and picked up by WOL for the network.

The statuette will be installed in NAB Washington headquarters. Silver embossed duplicates are to be presented to individual stations and networks in local ceremonies during National Radio Week. A party of RMA officials and broadcasters will be present for the Washington occasion.

JUSTIN MILLER SPEAKER FOR "RADIO DAY" AT WASHINGTON ADVERTISING CLUB

Justin Miller, NAB President, accompanied by Congressmen, FCC commissioners, representatives of Washington stations and network headquarters, led a delegation upon invitation of the Advertising Club of Washington, D. C., Tuesday, October 30, to participate in "Radio Day," club recognition of National Radio Week.

Justin Miller delivered the address for the occasion, which dealt with the broadcasters tour of Europe in August and early September of this year. He described conditions in the war-torn countries and dwelt in some detail upon the types of broadcasting practiced in other nations.

Matt Meyer, Advertising Club President, preceded Judge Miller with a tribute to a quarter century of broadcasting in the United States. Carleton Smith, WRC, and Carl Burkland, WTOP, were active as club members in arrangements for and presentation of the program, respectively.

WOMEN PLAN PROGRAMS AND MEETINGS FOR RADIO WEEK

Women's interest in radio's 25th anniversary will be covered during National Radio Week from coast to coast. On November 5th every AWD member on 425 stations will feature special guests who will pay tribute to radio. All during the week their women's programs will carry information and unusual features. Harriet Gormley of Westinghouse has prepared a special script for AWD's use.

In addition, most national presidents of women's organizations will be brought to the microphone wherever they are on tour. CBS will carry a network show featuring the following prominent personalities: Mrs. LaFell Dickinson, President of the General Federation of Women's Clubs, speaking from New York; Mrs. Anna Lord Strauss, President of the National League of Women Voters, speaking from Washington, and Mrs. Allan H. Means, President, National Girl Scouts, speaking from Salt Lake City.

Radio Councils in all parts of the country are setting up special celebrations—notably Minnesota where 22,000 persons at the St. Paul Institute will hold all day sessions with network shows originating from the stage.

Most National organization magazines are carrying articles about Radio National Week. The United Council of Church Women passed the following resolution:

"The United Council of Church Women in its National Board Meeting in Washington, D. C., October 23-26 bespeaks its gratitude for the many courtesies radio has shown to the organization both nationally and in local communities. This group representing ten million Protestant church women add their good wishes to those of the many friends of radio on the occasion of the twenty-fifth anniversary.

"It further urges the careful guarding of the freedom of the air in this new and epochal era which is opened before us. Radio is so influential a channel in the building of goodwill among nations and peace upon the earth that it seems imperative it should be kept available to those whose efforts are directed to this end. May selfish inter-

(Continued on next page)

ests never control the God-given ether waves whose secret He has permitted man to discover and use, but may they be kept filled with high ideals and honest facts, governed by the moral laws well known to man.

"We believe that only the power of the spirit can control the power of the atom. Radio diffuses *spirit* into the hearts and homes of mankind. May it be the spirit of understanding and unselfish consideration of man for man and nation for nation, and of man for God."

Citizens Radio Committee

On November 10th a Citizens Radio Anniversary Committee sponsored by many national organizations will give a luncheon at the Hotel Roosevelt, New York City. The following speakers representing various walks of life will pay tribute to American radio: Greetings—Honorable Thomas E. Dewey, Governor of the State of New York; Mr. Frank Braucher, President, Periodical Publisher's Association of America; Dr. Everett R. Clinchy, President, National Conference of Christians and Jews; Jane Cowl; Mrs. LaFell Dickinson, President, General Federation of Women's Clubs; Kermit Eby, Educational Director, National Congress of Industrial Organizations; Dr. James L. Ellenwood; Dr. Howard Hanson, President, National Music Council; Walter Hoving, President; Lord & Taylor; Dr. Mordecai W. Johnson, President, Howard University; Honorable Fiorello H. LaGuardia, Mayor of the City of New York; Senator Wayne L. Morse; Mr. Justin Miller, President, National Association of Broadcasters; Paul Porter, Chairman, Federal Communications Commission; Dorothy Thompson.

A bound volume of 100 letters of tribute to radio's public service from national organizations will be presented to NAB's President, Mr. Justin Miller, by the luncheon chairman, Mrs. Luella Laudin, Radio Chairman, National Council of Women.

ANNIVERSARY TRIBUTE SCHEDULED

As part of organized women's participation on radio's Twenty-fifth Anniversary, three national presidents will pay tribute to the American System of Broadcasting over the Columbia network November 5th at 4:30-4:45 E. S. T. Dorothy Lewis, Coordinator of Listener Activity, of NAB, will emcee the show which features: Mrs. LaFell Dickinson, President, General Federation of Women's Clubs, speaking from New York; Mrs. Anna Lord Strauss, President, National League of Women Voters, speaking from Washington, and Mrs. Allan H. Means, President, National Girl Scouts, speaking from Salt Lake City.

In addition, about ten other national presidents will be featured on programs throughout the country as part of the Listener Activity Division celebration project.

CHURCH WOMEN SPEAK

The United Council of Church Women in its National Board Meeting in Washington, D. C., October 23-26 bespeaks its gratitude for the many courtesies radio has shown to the organization both nationally and in local communities. "This group representing ten million Protestant church women," said the statement, "add their good wishes to those of the many friends of radio on the occasion of the Twenty-fifth Anniversary.

"It further urges the careful guarding of the freedom of the air in this new and epochal era which is opened before us. Radio is so influential a channel in the building of goodwill among nations and peace upon the earth that it seems imperative it should be kept available to those whose efforts are directed to this end. May selfish interests never control the God-given ether waves whose secret He has permitted man to discover and use, but may they be kept filled with high ideals and honest facts, governed by the moral laws well known to man.

"We believe that only the power of the spirit can control the power of the atom. Radio diffuses *spirit* into the hearts and homes of mankind. May it be the spirit of understanding and unselfish consideration of man for man and nation for nation, and of man for God"

P. T. A. SALUTES RADIO ANNIVERSARY

The following article appears in the "National Congress Bulletin" of the National Congress of Parents and Teachers:

"Twenty-five Years Old

"The Twenty-fifth Anniversary of radio will be observed November 4-10 this year. Many tributes might be paid to radio as an essential freedom of American life, but P. T. A. associations can best commemorate this birthday week by focusing interest on:

1. The new role of radio education in the classroom. Educational broadcasts are growing in popularity and effectiveness, and television holds a promising future as a teaching aid.
2. The expanded use of radio in presenting courses for public school teachers who might otherwise be denied professional improvement because of travel limitations. To these teachers in remote sections, radio offers new possibilities for college credit through cooperative plans with the extension division of colleges or universities.
3. The increasing influence of radio in promoting international friendliness—a closer kinship that can help to build a world of good will."

WHOM RADIO WEEK PROGRAM STARS NANCY CARROLL

New York, N. Y.—Lovely Nancy Carroll of screen and radio, and David Ross, Jr., son of the well-known David Ross, will be heard in "Twenty-five Years of Radio" inaugurating National Radio Week over WHOM on Sunday, Nov. 4.

IRE WINTER TECHNICAL MEETING

Four major features are scheduled to mark the 33rd annual Winter Technical Meeting of the Institute of Radio Engineers at the Astor Hotel, January 23 to 26, 1946, it was announced today by Edward J. Content, chairman in charge of all arrangements for the meeting.

First of the major features will be the annual banquet held Thursday, January 24, at which a speaker of national prominence will address the members and their visitors. In addition, there will be entertainment highlights. At this function also, two major annual awards are scheduled to be made; the Institute Medal of Honor awarded in recognition of distinguished service in radio communications, and the Morris Liebmann Memorial Prize made "to a member of the Institute who has made public during the recent past an important contribution to radio communications." Announcement will then be made of the appointment of new fellows to the Institute, and the president of the Institute, Dr. William L. Everitt, will address the convention and hand the gavel to the Institute's newly elected incoming president.

Next major feature, according to Donald H. Miller, chairman in charge of Special Features, will be the annual President's Luncheon held Friday, January 25, honoring the incoming president.

One of the big events of the Meeting will be the greatly expanded main commercial exhibits. For this purpose all of one floor and part of another in the Astor Hotel have been reserved It is expected that 150 firms or more will take part in this mammoth show, according to Henry F. (Hank) Scarr, chairman in charge of exhibits. This will constitute for the industry the first trade showing

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of postwar radio equipment and parts. This year, there will be no standard size for any exhibit, and firms may make their exhibits any size they desire within reasonable limits. It is felt by the Institute that the greatest service will accrue to the manufacturers by thus enabling them to show their products.

Finally, the major features of every annual meeting—the reading of scientific papers and the sessions and symposiums on the latest electronic developments—are expected to take on particular significance this year with papers on many vital subjects hitherto restricted by military security. Tentative subjects scheduled for the meeting, Dr. A. E. Harrison, chairman in charge of Papers, announced, will include: Broadcasting, Frequency Modulation and Television; Navigational Aids; Communications and Relay Links; Radar; Industrial Electronics; Testing Equipment; new developments in Panoramic Reception; Microwave Measuring Devices; Broadcast Receivers; Vacuum Tubes; Antennas and Radio Wave Propagation. As is customary, all papers will have been presented for the first time at this Meeting and none will have been published before in any form. Dr. Harrison further declared that while two technical sessions will be run simultaneously in accordance with last year's successful plan, the papers and sessions will be so arranged that important sessions and expositions on the same subjects or related ubjects will not conflict.

It is contemplated that the Institute will run organized inspection trips to points of interest throughout the city for out-of-town members.

The Institute of Radio Engineers enters its 33rd Winter session with a membership of more than 16,000 throughout the world, the largest in its history. Of this total, more than 12,000 members are in the United States.

MANAGEMENT STUDY PROPOSED

At a meeting of the Small Market Stations Committee in Washington (Oct. 25-26), a management study of small market stations was proposed as an NAB project.

The study would consist of a thorough review of management practices in a dozen selected small market stations, chosen to represent various geographical regions, size of city and station power. Findings would be published in a small market stations' management manual, for distribution to NAB members in this category.

The proposal was presented by Committee Chairman Marshall Pengra to Justin Miller, NAB President, who authorized its presentation to the NAB Board as a project for 1946.

ADVERTISING BIBLIOGRAPHY

A supply of a new bibliography, "100 Books on Advertising," compiled by Professor E. K. Johnston of the University of Missouri School of Journalism, has been received by the Department of Broadcast Advertising. A copy will be sent free to any NAB member upon request.

SALES MANAGERS MEETINGS

NAB Sales Managers will hold a series of subcommittee meetings, and a meeting of the executive committee in New York City the week of November 26. The schedule:

Nov. 26—NAB Subcommittee on Standard Contract Form
Nov. 27—NAB Standard Contract Subcommittee to meet with AAAA Time Buyers Subcommittee
Nov. 28—Advertising Agency Recognition Subcommittee
Nov. 28—Audience Measurement Information Subcommittee
Nov. 29-30—Sales Managers Executive Committee

All meetings will be held at the Roosevelt Hotel.

GOVERNMENT PROGRAM COORDINATION

To bring about a method whereby Government campaigns may be coordinated, since the abolishment of the OWI office of Program Coordination, there has been created within the Office of War Mobilization and Reconversion of a small department through which Government programs will be cleared.

H. Andrew (Drew) Dudley, Jr., formerly head of the OWI Campaign Department and prior to that with the Wrigley organization and more recently out of the Navy, has been named to coordinate the activity. He will work with the War Advertising Council and other appropriate organizations.

FCC ESTABLISHES NEW LABORATORY DIVISION

The Federal Communications Commission has announced the establishment of a Laboratory Division within its Engineering Department.

The new division will study the civilian uses of radar as they affect frequency allocations, will conduct wave propagation and allocation studies, develop new monitoring equipment, test all types of transmitters for type approval, test diathermy and industrial heating equipment.

Chief of the Laboratory Division will be Charles A. Ellert, who is now technical supervisor of the Radio Intelligence Division (RID). Willmar K. Roberts, engineer-in-charge of the Laurel (Md.) Laboratory of the Field Division of the Engineering Department, will be assistant chief.

Functions of the new division will be correlated with the work of the Technical Information Division and other divisions of the Engineering Department.

"The recent FM hearings demonstrated the need for the type of work which the Laboratory Division will do on wave propagation," George Adair, Chief Engineer, pointed out today. "The information developed by other groups was either too general or too restrictive to serve the purposes of the hearings. Adequate information would have enabled us to shorten the hearings at a substantial saving of time and money to both the Government and industry."

Testing of diathermy equipment will be done to prevent such apparatus from interfering with radio communications. The Commission recently emphasized that diathermy equipment manufactured since May 25 of this year will be required to operate within the three frequency bands designated for that purpose in the Frequency Allocation Report of that date with reasonable suppression of harmonic radiations. The Commission also stipulated that if the equipment is operated outside those bands, it must be operated in accordance with prescribed engineering standards to prevent interference to the various communication services including military, police, aircraft, and other services of particular importance in safeguarding life and property. Equipment manufactured prior to the above date will be permitted to operate indefinitely as in the past except that where interference will result from such operation steps necessary to eliminate the interference will be required.

Pending the promulgation and adoption of Standards of Good Engineering Practice, the Commission will test for type-approval diathermy equipment submitted by manufacturers designed to operate within one or more of the frequency bands allocated for such equipment. Equipment found to be capable of operation within one or more of such bands with reasonable suppression of harmonic radiations will be included in a list made available to the public. Although inclusion of equipment on the Commission's list of type-approved equipment will not constitute a guarantee of performance, it will afford the purchaser reasonable assurance that under normal operating condi-

(Continued on next page)

tions the listed equipment can be expected to operate within a band or bands allocated for such equipment.

Mr. Ellert was graduated from the Baltimore Polytechnic Institute in 1922, and received his degree in electrical engineering at Johns Hopkins University in 1925. He joined the Westinghouse Electric and Manufacturing Company at East Pittsburgh as an engineer in the educational department in the same year, specializing in developmental radio engineering work including pioneering in frequency modulation and television. At various times he served as assistant chief engineer of KDKA, engineer-in-charge of the Radio Transmitting Laboratory, radio engineer of the Experimental and Developmental Section and radio engineer of the Marine Transmitter section.

In 1930, after an eight month period as instructor in radio theory and operation at a commercial radio school, he was appointed radio inspector with the Radio Division of the Department of Commerce, which is now the Federal Communications Commission. In 1937 he was appointed inspector-in-charge of the Third Radio District with headquarters at Baltimore.

When the National Defense Operations Section of the Commission was organized in 1940, he was made supervisor of the Central Atlantic States Area and successively held the positions of Traveling Supervisor-instructor and Technical Supervisor in the Radio Intelligence Division. He has been in charge of training new personnel for the RID, the special classes held for the military and for the Coordinator of Inter-American Affairs involving selected Latin-American radio representatives.

Mr. Ellert has directed many field investigations leading to the seizure of the operators of illegal or clandestine radio stations.

As a hobby, Mr. Ellert has taken all the courses given by the U. S. Power Squadron in piloting and celestial navigation work and has been an instructor in these subjects for several years.

He is an associate member of the Institute of Radio Engineers and has served as chairman of the Baltimore section of that organization. He is a resident of Baltimore.

The Laboratory Division will be located on the Commission's reservation at Laurel, Maryland.

8 MORE SHOWS FOR GLOBAL BROADCAST

More "Music from Your Hometown" programs have been shipped to Armed Forces Radio Service.

WBAP—Fort Worth

Ed Lally, program manager, on October 25, shipped four programs in the "Music from Your Hometown" series. Talent included WBAP's 20-piece staff orchestra, directed by Gene Baugh, and such local singers and personalities, all familiar to Texans and men trained in Texas, as Dorothy Rouselle, Jack Gipson, Allen (Snuffy) Klaus, George (Pappy) McCullough, and Lee (Red) Woodward. Programs were produced by Gene Hall.

This Week's Completions

WBAP is completing three more "Music from Your Hometown" programs, this week, making seven in all. Included are the following groups: Parker Wilson and "The Coffee Grinders" (novelty musical combination); "The Red Hawks" (Hill-billy), and "The Chuck Wagon Gang" (singers of folk songs).

WBGS—Miami

General Manager Bob Venn selected former serviceman Dead Hudson and his orchestra to record WGBS's first "Music from Your Hometown" program. The recording was cut in the Frolics Club, located in Miami on Biscayne Bay. This was a favorite spot for thousands of GIs and officers who trained in Miami. Mr. Venn is planning the second "Music from Your Hometown" program during the early part of November.

FIRST REPORTS COMING NEXT WEEK

All stations were mailed No. 2 Victory Loan "Telling the World" reporting form on Wednesday. Mailing date was advanced because the envelope also carried the state itineraries of the six Victory Loan Special Trains.

"Telling the World" report No. 1 should be mailed Monday, Nov. 5; reports for the five other weeks of the campaign on successive Mondays.

Week by week calculations of broadcast support to the Victory Loan will be released as soon as completed.

FACSIMILE

The following editorial concerning Facsimile appeared in the Oct. 18 edition of the Pittsfield, Mass., *Berkshire Eagle:*

"A revolution in newspaper printing and distribution may be at hand. Radio processes already proved practical may supplant in the course of a few years the present expensive stereotyping machinery and rotary presses and print the day's paper in the house of the subscriber. . . .

"Such a possibility, or rather a strong probability, puts newspaper publishers face to face with a situation. If they do not provide themselves with the coming medium of reproduction and transmission, they face the contingency of waking up some morning and finding an important and expensive part of their mechanical plants obsolete and the newspaper business taken over by an adjacent radio station. The acquisition of radio facilities, therefore, does not mean that the newspapers are trying to take over radio, but that they are recognizing the probability that radio transmission may soon comprise an essential part of newspaper publishing. The acquisition by a newspaper of an FM station is almost purely defensive.

"What the ultimate effect on journalism will be is unpredictable. . . . The relatively modest investment required to found a newspaper may encourage more entreprenuers, with the result that the present decline in the number of daily newspapers may be arrested, local monopolies abolished and three papers bloom in areas where only one now exists. Such long-term effects lie in the area of speculation. The use of radio as a necessary accessory of newspaper publishing appears neither remote nor subject to question."

MORE COMMENT ON PETRILLO

Widespread editorial attention has been accorded James C. Petrillo, president of the American Federation of Musicians, and his recent ultimatum (NAB REPORTS, p. 483) demanding double orchestras on programs simultaneously broadcast over AM and FM Stations.

Under the heading "Petrillo Techniques", the following editorial appeared in the *Washington Post* on Monday (29):

"Mr. James Caesar Petrillo's latest ultimatum is addressed to the broadcasting companies. He has informed them that if duplicate programs are carried simultaneously by both standard and FM stations, twice the number of musicians must be employed. This simple formula for providing more useless jobs for his union will doubtless bring down an avalanche of angry denunciation on the head of Mr. Petrillo, who has shown that he can 'take it.' But the head of the musicians' union is merely a convenient scapegoat. He differs in no essential respect from countless labor leaders who conceive it to be their duty to hold jobs and create jobs for their following. The restrictions imposed by unions in the form of 'feather-bed' rules

(Continued on next page)

and the numerous devices employed to obstruct or limit the use of labor-saving machinery are of a piece with Mr. Petrillo's job-creating tactics.

"In our opinion a vote of thanks is due Mr. Petrillo for the dramatic way in which he has brought to public attention the need for a new approach to the employment problems presented by technological changes that both create and destroy jobs. Labor leaders of his ilk can and do impede progress for a time by doggedly monopolizing the gains resulting from improved processes. Ultimately, to be sure, everyone suffers from such wastage of manpower, since it is only through efficient utilization of labor that we can ever hope to attain the high degree of national prosperity that is our aim. Nevertheless, these long-run objectives cannot be expected to guide the conduct of union leaders whose prestige depends upon what they accomplish here and now for their members. Under such conditions the problem presented by socially outrageous union demands cannot be solved by merely calling for 'responsible' labor leadership. The leaders are already responsible according to their limited rights.

"Public sentiment is gradually being aroused to resist policies and practices that unduly restrain production or seek to monopolize the benefits of progress. In an atmosphere of public enlightenment labor leaders will then have an opportunity to display those qualities of statemanship that are now conspicuous by their absence. Under existing conditions the odds greatly favor the leader who, like Mr. Petrillo, is willing to exploit the public for the sake of securing passing gains for his union."

KGW ANNOUNCER WINS AWARD

According to advice from Thelma Agosti, Publicity Director for Radio Station KGW, Philip Irwin, a member of that station's announcing staff, has been awarded the H. P. Davis National Memorial Announcers Award for 1945.

NAB DIRECTOR HAS UNIQUE PROGRAM

The unique and outstanding public service program presented for fifteen years under the heading "WQAM COMMENTATOR" is back on its regularly scheduled spot Saturday evenings at 6:15.

This program is prepared by F. W. Borton, president of the Miami Broadcasting Company, and NAB 5th District Director.

While its name would indicate a commentary on the news, it actually is a public service program as it deals with the analyzing of community planning, civic welfare and development of the city's economic possibilities. It has been active in the development of airports, harbors, railroad terminals—all projects in general concerning South Florida.

This program has received the commendation of all segments of the communities, of the cities and counties within the station's listening area. Thousands of letters coming from all strata of the economic, cultural, and political population of Southern Florida have commended the program.

The new series will emphasize post-war development of the area.

"TEEN AGE PROGRAMS", RADIO COUNCIL SUBJECT

Bill Slater, sports commentator and moderator of WOR's "It's Up to Youth" and "Opinion Requested", and Elizabeth Woodward whose program for teen-agers is broadcast over WJZ, were the speakers on a program called "Teen-age Programs, Real and Imaginary", presented by the Radio Council of N. J. on October 18th in Newark.

Others taking part were Ted Webb, program manager of WPAT, who described the Junior Achievement program "High School Reporter", and Robert B. MacDougall, educational director of WAAT, who commented on his station's new series, "Junior Town Meeting of the Air."

A large group of young people from Central High School, Newark, wound up the program with three dramatic sketches in radio form, directed by Miss Julia Mitchell and introduced by Mr. Alexander Lewis of the English department of the school.

WRVA ANNOUNCES NEW SPECIAL EVENTS DEPARTMENT

Richmond, Va., Nov. 1—C. T. Lucy, manager of WRVA has announced the appointment of Jack Stone as director of a new special events department.

Stone recently returned from the southwest Pacific where he served as WRVA war correspondent.

The primary purpose of this new department at WRVA will be to maintain continuous contacts with civic, fraternal, military, trade and other organizations in order to develop outstanding broadcasts over WRVA in the interest of the city and the state.

BROADCAST FROM SUBMARINE

Newark, N. J.—From the vantage point of a submarine's conning tower, WAAT broadcast a description of President Truman's Navy Day Review of the fleet Saturday, October 27, from 4:15 to 4.30 P.M. The unusual broadcast was shortwaved to WAAT'S transmitter from the USS Cravalle, anchored in the Hudson River just south of the George Washington Bridge.

The Cravalle, commissioned in June, 1943, is credited with 24 Jap ships, totaling 115,000 tons, in seven Pacific patrols. For her work on patrol the sub was awarded a Navy Unit Commendation. Her present skipper is Commander Everett H. Steinmetz, who wears a Navy Cross and a gold star for her last two war patrols.

WTOP BIRTHDAY CAKE CONTEST

Washington, D. C.—It was a happy birthday for station WTOP Oct. 22, with the studios looking like a small boy's dream—adorned with scores of good old-fashioned home-baked cakes entered in the WTOP 13th birthday cake-baking contests. The $50 first prize winner was a delightful little lady, who won a second prize in last year's contest with the same type cake, a frothy angel cake with clouds of white and pink icing.

The prize winning cake was chosen as "perfect" by Cabinet members' wives, including Mrs. Robert Hannegan, Mrs. Tom Clark, Mrs. Lewis Schwellenbach, Mrs. James Byrnes, Mrs. Robert Patterson, and Mrs. Clinton Anderson, along with Elinor Lee, WTOP's women's program director; Mary Turner, director of a local electric power company's home service department and five other noted home economists.

After the judging, the cakes were whisked to service hospitals in the Washington area for parties for wounded G. I.'s.

Five second prizes of $10 each were awarded.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 5.

Federal Communications Commission Action

APPLICATIONS GRANTED

WPAB—Pedro Juan Serralles (transferor), Juan Alberto Wirshing, et al (transferees), Portorican American Broadcasting Co., Inc. (licensee), Ponce, P. R.—Granted consent to acquisition of control of Portorican American Broadcasting Co., Inc., licensee of Station WPAB by Juan Alberto Wirshing, Arturo Gallardo, Mrs. Porrata Doria, Carlos Clavell and Rafael Lopez Zapata (transferees), from Pedro Juan Serralles (transferor). (B-TC-458)

WAAT—Bremer Broadcasting Corp., Newark, N. J.—Granted additional 60 days within which to comply with the condition in the Commission's grant of its application for modification of license (B1-ML-1116) pertaining to maintenance of required field intensities.

KFVD—Standard Broadcasting Co., Los Angeles, Cal.—Granted construction permit to install new transmitter, increase power from 1 to 5 KW. and change transmitter location.

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Granted special service authorization to permit broadcasting as a public service and without charge, information to longshoremen at 3:45 p.m. daily in accordance with the requests of the International Longshoremen's and Warehousemen's Union and Pacific Coast Maritime Industry Board, for a period of 6 months.

LICENSES

Granted extension of following relay broadcast station licenses upon a temporary basis only, pending receipt and/or determination upon application for renewal of license, in no event beyond January 1, 1946:

KABJ, KAQV, KAQW, KAQX, Central States Broadcasting Co.; KHS, Harris County Broadcast Co.; WBGL, Head of the Lakes Broadcasting Co.; KALO, Intermountain Broadcasting Corp.; WAFK, A. Frank Katzentine, WAXJ, Lamar Life Insurance Co.; WMVB, Miami Valley Broadcasting Corp.; WAFY, WAFZ, Minnesota Broadcasting Corp.; KADB, KBLE, KIFO, Nichols and Warinner, Inc.; WAOE, Martin R. O'Brien; WAXH, WSCC, Savannah Broadcasting Co.; KIEF, KIEG, Seattle Broadcasting Co.; WATS, Allen T. Simmons; KAAD, Tarrant Broadcasting Co.; WIPL, WIPM, WNEI, WFBM, Inc.; WSMA, WSMC, WSMB, Inc.; KWRD, City of Dallas, Tex.; WJYK, Findlay Radio Co.

Granted further extension of following relay broadcast station licenses upon a temporary basis only, pending determination upon applications for renewal of license in no event later than January 1, 1946:

KIIH, KFAB Broadcasting Co.; KABE, KAIE, KSTP, Inc.; WNBJ, National Broadcasting Co., Inc., KBIC, KBID, KNEF, Radio Service Corp. of Utah; WAIO, WELR, WDZ Broadcasting Co.; WBGM, Westinghouse Radio Stations, Inc.; WAAH, West Virginia Broadcasting Corp.; WMWA, WOKO, Inc.; WCBE, Southeastern Broadcasting Co.

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Granted renewal of license for the period ending May 1, 1948.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted renewal of license for the period ending May 1, 1947.

MISCELLANEOUS

KHQ—Louis Wasmer (transferor), KHQ, Inc. (transferee), Spokane, Wash.—Adopted an order denying petition to amend its application for transfer of control of KHQ, Inc., without prejudice however, to the right of petitioners to request dismissal of their application (B5-TC-443), and to file a new application for transfer of control of KHQ, Inc., to Spokane Chronical Company, Spokane, Washington, in accordance with the terms of its new agreement with that company.

Independent Broadcasting Co., Des Moines, Iowa.—Granted motion for leave to amend its application for construction permit (Docket 6734); accepted the amendment and removed the same from the hearing docket.

Roy F. Thompson, tr/as Thompson Broadcasting Co., Altoona, Pa.—Granted motion for leave to amend application for construction permit, and accepted said amendment. (Docket 6698).

George H. Thomas, et al. d/b as New Iberia Broadcasting Co., New Iberia, La.—Granted motion for continuance of hearing on application for new station (Docket 7677), and the hearing now scheduled for Navember 1 was continued to December 3, 1945.

WEQR—Eastern Carolina Broadcasting Co., Inc., area of Goldsboro, N. C.—Granted license to cover construction permit which authorized a new relay broadcast station. (B3-LRE-443)

W1XHR—Harvey Radio Labs., Inc., Cambridge, Mass.—Granted modification of construction permit, which authorized new developmental broadcast station, for extension of completion date only from November 6, 1945 to May 6, 1946. (B1-MPEX-23)

W1XMR—Matheson Radio Co., Inc., Framington, Mass.—Granted license to cover construction permit, as modified, which authorized a new developmental broadcast station; license granted on experimental basis only, conditionally. (B1-LEX-31)

W2XMT—Metropolitan Television, Inc., New York, N. Y.—Granted license to cover construction permit, as modified, which authorized a new experimental television broadcast station; license granted upon an experimental basis only, conditionally. (B1-LVB-63)

W8XGZ—Gus Zaharis, near Charleston, W. Va.—Granted modification of construction permit, as modified, for change in transmitter site and extension of completion date from October 1 to December 30, 1945. (B2-MPVB-139)

WHEB—WHEB, Inc., Portsmouth, N. H.—Denied special service authorization to operate with power of 500 watts from local sunset to 6:30 p.m., EST, during the months of Oct., Nov., Dec., 1945, and Jan. and Feb., 1946 in order to continue present operating schedule.

WAIT—Gene T. Dyer, et al. d/b as Radio Station WAIT, Chicago, Ill.—Denied special service authorization to commence operation not later than 7 a.m., CST, during those months in which local sunrise occurs later than 7 a. m. CST and to cease operation not later than 6 p.m. CST during those months in which sunset at Dallas, Texas, is earlier than 6 p.m. CST, for a period not to exceed 6 months.

APPLICATIONS FILED AT FCC

630 Kilocycles

WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Construction permit to change frequency from **1250** to **630 kc.**, and make changes in directional antenna for night use. Amended: to request increase in power from 1 KW. to 5 KW., install new transmitter, changes in directional antenna for night use and change transmitter location.

660 Kilocycles

KOIN—KOIN, Inc., Portland, Ore.—Construction permit to change frequency from **970** to **660 kc.**, increase power from 5 KW. to 25 KW., install new equipment and make changes in directional antenna for day and night use. Amended: to change power to 50 KW., change type of transmitter, changes in directional antenna for day and night use and change transmitter location.

910 Kilocycles

KALL—Abrelia S. Hinckley, George C. Hatch and Wilda Gene Hatch, d/b as Salt Lake City Broadcasting Co.,

(Continued on next page)

Salt Lake City, Utah.—License to cover construction permit (B5-P-3701 as modified) which authorized a new standard broadcast station.

KALL—Abrelia S. Hinckley, George C. Hatch and Wilda Gene Hatch, d/b as Salt Lake City Broadcasting Co., Salt Lake City, Utah.—Authority to determine operating power by direct measurement of antenna power.

1050 Kilocycles

NEW—Edmund Scott, Gordon D. France, Hugh H. Smith and Merwyn F. Planting, a partnership d/b as San Mateo, County Broadcasters, San Mateo, Calif. (P. O. 110 Cambridge St., San Francisco, Calif.)—Construction permit for a new standard broadcast station to be operated on **1050 kc.**, power of 250 watts and daytime hours of operation.

1210 Kilocycles

WCAU—WCAU Broadcasting Co., Philadelphia, Penna.—License to cover construction permit (B2-P-3897) which authorized changes in transmitting equipment.

1240 Kilocycles

NEW—Mitchell G. Meyers, Reuben E. Aronheim and Milton H. Meyers, Waterbury, Conn. (P. O. 182 Grand St.)—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Bernard Lee Blum, Waterbury, Conn. (P. O. 102 S. Main St.)—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

1250 Kilocycles

NEW—Midwest Broadcasting Co., Milwaukee, Wisc.—Construction permit for a new standard broadcast station to be operated on **1250 kc.**, power of 5 KW. and unlimited hours of operation using directional antenna at night. Amended: re change in type of transmitter and changes in directional antenna for day and night use.

1330 Kilocycles

NEW—Joseph Gardberg & Sam J. Ripps d/b as Mobile Broadcasting Co., Mobile, Ala.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation. Amended: to change frequency to **1330 kc.**, power to 5 KW., change type of transmitter, install directional antenna for day and night use and change transmitter and studio locations.

1340 Kilocycles

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—Authority to install new automatic frequency control unit.

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—License to cover construction permit (B3-P-3907) which authorized move of transmitter.

NEW—Old Pueblo Broadcasting Co., Tucson, Ariz. (P. O. 77 N. Court St.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

1360 Kilocycles

NEW—McKeesport Radio Co., McKeesport, Penna. (P. O. 307 Fifth Ave.)—Construction permit for a new standard broadcast station to be operated on **1360 kc.**, power of 1 KW. and daytime hours of operation.

1400 Kilocycles

WJHO—Yetta G. Samford, C. S. Shealy, Thomas D. Samford, Jr.., d/b as Opelika-Auburn Broadcasting Co., Opelika, Ala.—Authority to determine operating power by direct measurement of antenna power.

1450 Kilocycles

NEW—Thomas H. Todd, Bertram Bank, Lamar Branscomb and Jeff Coleman, d/b as Tuscaloosa Broadcasting Co., Tuscaloosa, Ala. (c/o T. H. Todd, 1077 Queen City Ave., Tuscaloosa, Ala.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

WBBL—Grace Covenant Presbyterian Church (M. A. Sitten, Agent), Richmond, Va.—License to cover construction permit (B2-P-3638 as modified) which authorized change in frequency, increase in power, change hours of operation, change in transmitting equipment and antenna and change in transmitter location.

WBBL—Grace Covenant Presbyterian Church (M. A. Sitten, Agent), Richmond, Va.—Authority to determine operating power by direct measurement of antenna power.

WLEE—Thomas Garland Tinsley, Jr., Richmond, Va.—License to cover construction permit (B2-P-3644 as modified) which authorized a new standard broadcast station.

WLEE—Thomas Garland Tinsley, Jr., Richmond, Va.—Authority to determine operating power by direct measurement of antenna power.

NEW—Muscogee Broadcasting Co., a partnership composed of F. R. Pidcock, Sr., R. C. Dunlap, Jr., F. R. Pidcock, Jr., Beecher Hayford and James M. Wilder, Columbus, Ga. (P. O. Fourth National Bank)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—W. O. Pape tr/as Pape Broadcasting Co., Pensacola, Fla. (P. O. 106 St. Joseph St., Mobile, Ala.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

1490 Kilocycles

NEW—Frankfort Broadcasting Co., Frankfort, Ky. (P. O. 317 Ann St.)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

NEW—William L. Klein, Oak Park, Ill. (P. O. 64 East Lake St., Chicago 8, Ill.)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

1550 Kilocycles

NEW—Associated Broadcasters, Inc., Indianapolis, Ind.—Construction permit for a new standard broadcast station to be operated on **1550 kc.**, power of 250 watts and daytime hours of operation. Amended: re changes in transmitting equipment.

FM APPLICATIONS

NEW—Knight Radio Corp., Chicago, Ill. (P. O. 44 E. Exchange St., Akron, O.)—Construction permit for a new FM broadcast station to be operated on Channel #63 (**100.5 mc.**).

NEW—Lee Radio, Inc., Mason City, Iowa (P. O. 12 Second St., N.E.)—Construction permit for a new FM broadcast station to be operated with coverage of 27,800 square miles.

NEW—Harvey Radio Laboratories, Inc., Cambridge, Mass. (P. O. 447 Concord Ave.)—Construction permit for a new FM broadcast station to be operated on Channel #21 (**92.1 mc.**) with coverage of 5,299 square miles.

NEW—N.M.U. Broadcasting Co., Inc., New York, N. Y. (346 W. 17th St.)—Construction permit for a new FM broadcast station to be operated with coverage of 8,500 square miles.

TELEVISION APPLICATIONS

NEW—Allegheny Broadcasting Corp., Pittsburgh, Penna. (P. O. 196 Union Trust Bldg.)—Construction permit

(Continued on next page)

for a new commercial television broadcast station to be operated on Channel #6 (82-88 mc.) with ESR of 1805.

NEW—Institutum Divi Thomae Foundation, Cincinnati, Ohio (P. O. 1840 Madison Road)—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (66-72 mc.) with ESR of 2503.

MISCELLANEOUS APPLICATION

KSUI—The State University of Iowa, Iowa City, Iowa—Modification of construction permit (B4-PED-28 as modified) for extension of completion date.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

E. S. Ullman-Allied Company, Inc., 131 West 30th Street, New York, importing and distributing animal skins or peltries, is charged in the complaint with misrepresentation of its products. (5397)

STIPULATION

During the past week the Commission has announced the following stipulation:

Arnold, Schwinn & Company, Inc., 1718 North Kildare Avenue, Chicago, manufacturing and distributing bicycles which were advertised as "Schwinn-built bicycles guaranteed for life," has entered into a stipulation to cease and desist from using the words "guaranteed for life" or "lifetime guarantee," alone or in connection with other words to describe its bicycles; or otherwise representing directly or by implication, that the bicycles are unconditionally guaranteed for life, unless it does in fact make, without expense to any owner thereof, any repairs or replacement of parts which may be necessitated during the life of such owner by any cause other than wilful damage or abuse. (4113)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 45, November 9, 1945

THE WHITE HOUSE
WASHINGTON

November 7, 1945

Dear Judge Miller:

My congratulations to you and your associates on this twenty-fifth anniversary of broadcasting in the United States.

During its brief span of a quarter century in the history of our Nation, broadcasting has achieved a notable place in the lives of our people. In the years of war broadcasters served their country well -- and in the years of peace that lie before us I know they will continue to do their part with that same spirit of loyalty and enterprise.

Very sincerely yours,

/s/ HARRY TRUMAN

Honorable Justin Miller,
National Association of
Broadcasters,
1760 N Street N. W.,
Washington, D. C.

MILLER ON NATIONAL RADIO WEEK

NAB President Justin Miller Issued the Following Statement to the Industry

"With the passing of the National Radio Week, celebrating Radio's Twenty-fifth Anniversary, we may say that broadcasting has now come of age. Our effort has been to catch the attention of our people and portray for them the growth of the free American system of broadcasting. We have good reason to believe that public understanding of its service, in peace and war, has been enhanced immeasurably.

"The President of the United States, other public officials, representatives of foreign nations, and a multitude of civic associations have joined, wholeheartedly, in paying tribute to our achievements. This goes far to compensate for the strident complaints of dissident individuals whose voices cry out, occasionally, noisily disproportionate to their number or importance.

"The Citizens' Radio Anniversary Committee testimonial luncheon in New York broadcasts on the Army Hour, the program for the presentation of a commemorative statuette to the industry by the Radio Manufacturers Association and the reception to dedicate the new Senate Radio Gallery, attended by prominent legislators and the President of the United States, have been typical of activities, celebrating our anniversary, in every corner of the land.

"The support which National Radio Week received from all branches of the industry, stations, networks, set and

(Continued on next page)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

equipment manufacturers, and advertisers, aided by the trade papers and our friends of the press, established a fine record of cooperation. It is an example of unity which should inspire us in our planning for the future.

"In thanking the industry and its many friends for their splendid contribution to the success of National Radio Week, I express, also, the wish that members of the Association send to me copies of material used, together with a report of activities for the Week, which we shall preserve at NAB headquarters as a permanent and valuable record of the occasion."

RMA PRESENTS STATUETTE TO NATION'S BROADCASTERS IN WASHINGTON CEREMONY

(As released by NAB News Bureau)

Washington, D. C., Nov. 7: Paul A. Porter, Chairman of the Federal Communications Commission, today hailed American broadcasting as the "world's largest and finest radio system." He attributed its growth and success to the twenty-five year record of cooperation between the broadcasters and the manufacturers of equipment and receiving sets, whom he described as "the men who produce the programs and the men who build the magical means to give them wings."

Porter's salutation was delivered to Justin Miller, President of the National Association of Broadcasters, and R. C. Cosgrove, President of the Radio Manufacturers Association, on the occasion of the presentation by RMA to NAB of a silver statuette commemorating radio's twenty-five years of public service. The ceremony was a feature of National Radio Week and was broadcast over the Mutual Broadcasting System during the special anniversary program "Music to Remember," 8:00 to 8:30 P.M., November 7. Porter's statement in full is as follows:

"The presentation by the RMA to the NAB of a statuette commemorating 25 years of broadcasting serves to highlight the outstanding record of cooperation between the two branches of the industry to give America the world's largest and finest radio system.

"This fruitful joining of forces by the men who produce the programs and the men who build the magical means to give them wings is a splendid example of the kind of teamwork that can carry the industry on to new goals of achievement.

"Vast new vistas of opportunity to expand the broadcasting industry and to give the American people a far greater measure of public service are now opening for both broadcasters and manufacturers.

"My congratulations to both branches of a great industry for the many accomplishments of radio from pioneering days onward, and my best wishes for further triumph in the difficult but challenging days which lie ahead."

R. C. Cosgrove made the presentation of the statuette in the following language:

"Twenty-five years ago, a great new industry had its inception. In its swaddling clothes, it was called wireless. Today its name is radio—radio in all its phases from broadcasting to receiving. All of you listening tonight are, in a sense, a part of that industry—for the industry itself is part of your lives.

"We of the manufacturing segment of radio—the makers of the radio receiving sets in nearly every American home—have felt for years that signal recognition is due the broadcasters of the nation for their service to the people . . . for the programs of entertainment and inspiration and education they have brought to every radio listener. That feeling has been intensified many fold with the part radio broadcasting had in winning the war—a job that never has been excelled in the magnitude of its success.

"This week, November 4 to 10—celebrated everywhere as National Radio Week—could not be more appropriate for this recognition. It is the Silver Anniversary of the American system of broadcasting. The war is over . . . new radios soon will be in the stores . . . such new marvels as FM and television are about to take their places in the radio picture for added pleasure for millions.

"Nearly 300 radio manufacturing companies, therefore, join with me in the honor of presenting this statue, commemorating the Silver Anniversary of radio broadcasting, for placement in the headquarters, in Washington, of the nation's broadcasters. Our thoughts in this presentation and what this statue represents are best told in the few words of the inscription on the base. They read:

> 'Presented to the National Association of Broadcasters and the broadcasting stations of America by the Radio Manufacturers Association in recognition of a quarter of a century of public service by the broadcasters, and for their contribution to world peace and harmony.'

"Mr. Miller, I am happy to offer your organization, acting in behalf of the major networks and the more than 1,000 individual broadcasting stations of the nation, this permanent symbol of the high esteem in which we hold your services in the world of radio."

Justin Miller accepted for the broadcasting industry as follows:

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"Since the beginning of radio, the manufacturers of transmission equipment and receiving sets have had a great stake in the proper development of the American system of broadcasting. The use of radio receivers depends entirely on the popularity of what they are made to receive. Millions of dollars spent in the creation of fine radios, could not induce the people to use them, if the broadcasters did not produce programs that the listeners wanted to hear. Consequently the interest of manufacturers of radio sets in the programs originated by the broadcasters—down through the years—has perhaps exceeded that of the listeners themselves. The result is a common perspective—an appreciation of what one must do for the other in order to achieve an end product—'good reception of good radio programs'—for the American public.

"Our success in achieving this objective is attested by the finest radio service in the world, not only as measured by the advancements of the past twenty-five years, but by the promise of phenomenal new developments in television, frequency modulation, and facsimile transmission, which are on the threshold of wide popular service and enjoyment.

"It is stimulating and encouraging to receive a tribute like this from those who are most aware of our responsibilities and our performances. We shall treasure it as a symbol of coperation between the manufacturers of radio

(Continued on next page)

receiving sets and the broadcasters, working together in the public interest."

CANADIAN ASSOCIATION OF BROADCASTERS SENDS GREETINGS FOR NATIONAL RADIO WEEK

Glen Bannerman, President and General Manager of the Canadian Association of Broadcasters, sent the following congratulatory message to Judge Miller and NAB on the occasion of National Radio Week:

"GREETINGS to the National Association of Broadcasters on the Twenty-fifth Anniversary of the Radio Broadcasting Industry in the United States from your younger brother, the Canadian Association of Broadcasters, in Canada.

Twenty-five years is a brief period in history but, during that time, the development of a free, competitive and independent broadcasting industry in the United States should be an inspiration to freedom-loving people throughout the world.

In wishing your industry continued success in serving the best interests of your citizens, it is the hope of the Canadian Association of Broadcasters that a free and independent broadcasting industry in the United States may always be an inspiration to our industry in Canada.

THE CANADIAN ASSOCIATION OF BROADCASTERS
(s) GLEN BANNERMAN,
President and General Manager

November 5th, 1945"

GOVERNOR DEWEY PROCLAIMS N. Y. RADIO WEEK

Governor Thomas E. Dewey of New York proclaimed Radio Week, Nov. 4-10 with the following statement:

"Twenty-five years ago in November of 1920 radio station KDKA, in Pittsburgh, transmitted press bulletins on the Harding-Cox presidential election, thus marking the beginning of radio broadcasting in this country. In a few scattered homes in the vicinity of Pittsburgh, radio enthusiasts, with earphones on their heads, eagerly adjusted the 'cat's whiskers' on their crystal sets and listened intently to the historic broadcasts. They were truly a great scientific achievement but they were also looked upon at that time as a novelty.

"The growth of the radio industry, however, was rapid and successful. In 1921 radio station KDKA of Pittsburgh broadcast the first religious service of the Calvary Baptist Church of Pittsburgh. In 1922 station WEAF in New York City broadcast a commercial message of the Queensboro Realty Company, the first advertising broadcast in history. In 1923 stations WEAF and WNAC linked together to broadcast the first network program. In 1924 Radio Corporation of America transmitted photographs across the Atlantic by radio. In 1925 the inauguration of President Coolidge was broadcast by 24 stations and the all-electric home receiver set was made possible through the introduction of alternating-current tubes. In 1926 the first demonstrations of television with images in half tones were given and the National Broadcasting Company, first of the nation's great networks, was organized. A year later the Columbia Broadcasting System was created. During the next two decades radio came into its own. In 1931 the cultural features of radio became apparent to all when Hansel and Gretel was the first complete opera to be broadcast from the Metropolitan Opera House in New York City. In 1934 the Mutual Broadcasting system was established and in 1943, the Blue Network was organized as an independent system.

"Today radio has become an integral part of the daily lives of every citizen of our state. The daily news broadcasts, the public service and educational programs, the information services and the splendid entertainment provided by radio have become a necessary part of our civilization.

"During the long hard years of war the radio kept us informed hour by hour of the progress and victories of our fighting men and women. It served also to keep us alert to our responsibilities on the homefront. It performed a splendid public service and contributed mightily in making Americans the best informed public in the world.

Electronic Outlook

"In the days that lie ahead, radio is entering upon a new phase. Wartime developments have opened up possibilities of an electronic age hitherto undreamed of. Television and frequency-modulation will come into their own. More than any other channel of communication, radio can serve as a great force for good in the winning of the peace. It can link the freedom loving people of the world together in a great communication system and do much to achieve international understanding and cooperation.

(Continued on next page)

LET'S CREATE THAT PERMANENT RECORD FOR JUDGE MILLER

In Judge Miller's statement, "An Appreciation of National Radio Week," appearing elsewhere in this issue, he says:

> "In thanking the industry and its many friends for their splendid contribution to the success of National Radio Week, I express, also, the wish that members of the Association send to me copies of material used, together with a report of activities for the Week, which we shall preserve at NAB headquarters as a permanent and valuable record of the occasion."

The amount of material already received by NAB—publicity releases, copies of statements by public officials, scripts, photographs, etc.—is tremendous—so much so that we could not even attempt a round-up story on National Radio Week in NAB Reports. The scope of the event becomes even more staggering when one realizes that the material received to date is but an indication of the actual performance of the industry.

Let's preserve the record of National Radio Week, in answer to Judge Miller's request! Send a report to headquarters containing the following, if possible:

1. A general statement covering your participation.
2. Copies of promotion and advertising, your own and congratulatory.
3. Copies of broadcast scripts, programs and announcements.
4. Copies of addresses. Reports of appearances before organizations.
5. Photographs, carefully identified.
6. Statements or proclamations of public officials.
7. Reports of recognition from others, such as presentation of Radio Manufacturers Association plaque by local set dealers, etc.
8. Letter containing station or network reaction to industry's observance of National Radio Week.

Let's do it while it's still there—still fresh! Address: Justin Miller, President, National Association of Broadcasters, 1760 N Street, N.W., Washington 6, D. C.

"Next week the radio industry with its 950 radio stations throughout the country is celebrating the twenty-fifth anniversary of its founding.

"Now, THEREFORE, I, Thomas E. Dewey, Governor of the State of New York, do hereby proclaim the week of November 4th to November 10th as 'Radio Week' and urge the citizens of the State of New York to participate in ceremonies commemorating this anniversary.

PORTER PRAISES RADIO'S RECORD

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NEW MEXICO STATIONS SEEK TAX RULING

Posing the important question as to whether New Mexico stations are engaged in interstate commerce, and involving an until-this-year-unenforced 1935 state statute levying a privilege tax and requiring each station to take out a license as a prerequisite to the doing of or continuing to do a business of broadcasting within the state. Federal Court jurisdiction has been established for the purpose of hearing a broadcasters' complaint requesting an injunction against enforcement of the Act.

This year when the state attempted to enforce the Act for the first time, stations KFGL, Rosewell; KFUN, Las Vegas; KTMN, Tucumcari, and KWEW, Hobbs, filed complaints in the Federal District Court for the District of New Mexico asking for an injunction against the state to prevent it from collecting the tax, including amounts alleged to be past due with penalties and interest, and also asking that the state be enjoined from enforcing the licensing feature of the act.

The state answered by filing a motion to dismiss the complaints on the ground that the Federal court lacked jurisdiction to try the case and grant the relief asked for

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by the stations. The Federal Court overruled the state's motion with the result that a hearing on the merits of the case will be held before a three-man Federal Court on Monday, November 19.

In addition to the interstate commerce question, the Court's decision will have an important bearing in determining whether states have the right to compel a station to take out a license and impose certain sanctions for failure to do so.

Howard S. Frazier, NAB Director of Engineering, will make field intensity measurements in and out of the state of New Mexico and will be available as a witness if the case is tried.

Milton J. Kibler, NAB's Assistant General Counsel, spent several days in New Mexico recently conferring with the New Mexico broadcasters, advising upon the legal procedure necessary to bring about the desired results.

NAB General Counsel John Morgan Davis will file a brief and assist local counsel, in presenting the matter to the Court.

DISTRICT MEETINGS SCHEDULED

As previously announced (NAB Reports, page 471), a series of District meetings has been definitely scheduled as follows:

District 16, Monday-Tuesday, Jan. 7-8, Hotel Roosevelt, Hollywood, Calif.
District 15, Thursday-Friday, Jan. 10-11, Hotel Fairmont, San Francisco, Calif.
District 17, Monday-Tuesday, Jan. 14-15, Hotel Olympic, Seattle, Wash.
District 11, Tuesday-Wednesday, Jan. 22-23, Hotel Nicollect, Minneapolis, Minn.
District 10, Friday-Saturday, Jan. 25-26, Hotel Fontenelle, Omaha, Neb.
District 14, Monday-Tuesday, Jan. 28-29, Hotel Brown Palace, Denver, Colo.
District 13, Thursday-Friday, Jan. 31-Feb. 1, Hotel Baker, Dallas, Texas.
District 12, Monday-Tuesday, Feb. 4-5, Hotel Tulsa, Tulsa, Okla.
District 6, Thursday-Friday, Feb. 7-8, Hotel Peabody, Memphis, Tenn.
District 7, Monday-Tuesday, Feb. 11-12, Hotel Gibson, Cincinnati, Ohio

NAB President Justin Miller plans to attend all of these meetings and will be accompanied by Jess Willard, Executive Vice President, at part of them, and by C. E. Arney, Jr., Secretary-Treasurer, at others. Frank Pellegrin will likewise attend all meetings to handle the sales managers session. Hugh Feltis, BMB President, will be present at all meetings to discuss BMB progress and related matters.

While no tentative agenda has as yet been prepared there will be a thorough discussion of industry problems and NAB activities at all sessions. These district meetings afford a splendid opportunity for broadcasters to participate in a discussion of industry matters and all are urged to make their plans to attend.

FCC SEEKS FM COSTS

Many FM applicants and other members of the public have asked the Commission for information on the cost of entering the FM industry. Because of this interest, the Commission has addressed telegrams to equipment manufacturers in order to ascertain the probable cost of FM equipment.

From the replies to these telegrams, the Commission hopes to be able to furnish more reliable estimates of the cost of building an FM station than have heretofore been possible. In the absence of price quotations on equipment to operate in the 88-108 megacycle band, FM applicants necessarily have been forced to use cost estimates made during the war and based on pre-war prices for equipment built to operate in the 42-50 megacycle band.

CIO PROTEST ANSWERED

Chairman Paul A. Porter of the Federal Communications Commission on Thursday (8) released the following correspondence between himself and C. B. Baldwin, executive vice-chairman of the National Citizens Political Action Committee:

"TELEGRAM"

"New York, N. Y., October 24, 1945.

"Paul Porter, Chairman, Federal Communications Commission, Washington, D. C.

"The Granting of 64 additional FM licenses without public hearings ignores the demands of many individuals and organizations for greater caution in licensing individuals and corporations to conduct business on public licenses. We are particularly alarmed over the granting of licenses to companies affiliated with or controlled by newspapers, fearing this monopoly in many communities of the media for disseminating public information and opinion is a grave threat to effective freedom of speech and press. We urge public hearings, proof of public service in the past and guarantees of public service in the future, and ample opportunities for small businessmen, veterans, farm groups, trade unions, cooperatives, and others in FM broadcasting.

C. B. Baldwin,
Executive Vice-Chairman, National Citizens PAC."

* * *

"November 7, 1945.

"Mr. C. B. Baldwin,
Executive Vice-Chairman
National Citizens Political Action Committee
New York, N. Y.

Dear Mr. Baldwin:

This will reply to your telegram of October 24, 1945, with reference to the Commission's recent actions conditionally granting 64 applications for new FM stations. In your wire you express concern over newspaper monopoly of FM channels, and urge the holding of public hearings, satisfactory showing of service in the public interest by applicants, and the availability of opportunities for small businessmen, veterans and other groups in FM broadcasting.

I believe that I may best discuss the various points raised in your telegram by first drawing a bit of the background of the FM picture today. As you may know, early in 1941 with the establishment of FM as a recognized broadcast service, the Commission took formal notice of the fact that a large number of applicants for radio stations, both standard and FM, were associated with newspapers, and instituted a public hearing on the problems involved in such a situation. At this hearing which lasted several months, the Commission received evidence from 54 witnesses representing all points of view. In January 1944 the Commission entered its final order in this matter and forwarded its order and a summary of the record made at the hearings to the appropriate committees of the Congress. Copies of this material are enclosed for your convenience.

During the pendency of the newspaper radio inquiry, the Commission deferred action on all applications by newspaper interests for new FM stations. Although this proceeding was terminated in January 1944, the war, with its consequent demands on critical materials and manpower, made action impossible on any application for new FM stations at that time. However, in order to encourage interest in the FM art, the Commission continued to accept applications for filing throughout this entire period and applicants were advised that they would be placed in the pending file.

With the brightening of the war picture, the Commis-

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sion on August 7, 1945 (several days before V-J day), announced that after a 60 day period it would resume normal licensing practices. All pending applicants were requested to review their applications and submit current information where necessary. Prospective applicants were given this 60 day period to file their applications so that they might be given consideration with those already on file. It was felt that a longer 'waiting period' might delay employment opportunities in radio manufacturing or in the establishment of new businesses by veterans and other persons who might be unemployed as a result of declining orders in the war factories, and would otherwise impede the reconversion process. Recognizing, however, that many persons, including veterans, might be unable to secure the necessary engineering data by October 7 (the expiration of the 60 day period), the Commission in September announced that it would accept for filing FM applications with a minimum of engineering information and would make conditional grants where such grants would be consistent with the availability of frequencies and other public interest factors. I am enclosing copies of these various notices. As a result of the policy I have discussed, the Commission had on file by October 7, 1945 almost 700 applications for new FM stations.

In the meantime, in order to place FM in the optimum place in the radio spectrum, to provide it with the necessary number of channels to accommodate the anticipated demand, and to establish rules and standards which would make full use of the possibilities of this new broadcast service, the Commission held a series of public hearings on allocation of frequencies and rules for FM, beginning in October 1944 and continuing from time to time until August 1945. The question of reserving a certain number of channels for newcomers was discussed at these hearings, and upon consideration of the testimony adduced, the Commission determined that it would not reserve frequencies for any specific group of persons. In this connection I am enclosing a copy of the Commission's report of August 24, 1945.

It is with this background that the Commission on October 7, 1945 commenced active consideration of the FM applications on file and on October 19, 1945 conditionally granted 64 of them. Similarly on November 1, 1945 the Commission conditionally granted 65 additional applications. I am enclosing herewith copies of the Commission's press releases announcing these grants. As you will note therefrom, the grants have been made for stations in uncongested areas and frequencies still remain available for assignment to future applicants.

You are assured that in each of these cases the grant was made only after the Commission was satisfied, upon examination of the application and all other information before it, that a grant would serve the public interest. In the event that upon examination of other applications in the future the Commission is not satisfied in this respect, the applications involved will of course be designated for hearing. In this connection may I point out that the Commission's Rules (Section 1.195) provide for the consideration of communications endorsing or protesting the granting of any specific application, and the Commission unreservedly welcomes the submission of any facts bearing upon a particular applicant's qualifications to operate its proposed station in the public interest.

I trust that my discussion of the problems raised in your telegram will assist you in formulating your further views in this matter.

Sincerely yours,
(s) PAUL A. PORTER,
Chairman."

FM APPLICATIONS ANALYZED

According to a news release issued by the Commission on Friday (2) there were pending as of October 8, 665 FM applications. Of this total 452 are from present licensees of AM stations, leaving 182 applicants who are new to the industry and 31 which are incomplete. In Area 1 there are 185 applicants, while in Area 2, the total is 480. The news release broke these applications down by state and by classifications of other business interests of the applicant. The complete release may be obtained from the FCC. It is No. 85965.

NAB-FM DEPARTMENT PETITIONS FCC

(As released by NAB News Bureau, Nov. 6)

The Frequency Modulation Department of the National Association of Broadcasters announced on Monday (5) that it has presented a petition to the Federal Communications Commission requesting that the Commission take favorable action on four suggested revisions in its FM Rules and Regulations, in the interest of a "more rapid and efficient development of FM broadcasting."

Robert T. Bartley, director of the six-days-old FM Dept. of NAB which came into existence through a merging of NAB and Frequency Modulation Broadcasters, Inc., stated that since manufacturers of FM receivers are or will be almost immediately in production, and broadcasting frequencies are being granted by the Commission, "NAB's FM Department is anxious to move with all possible speed in providing a smooth highway over which FM development may swiftly proceed to the satisfaction of an expectant public."

The petition follows:

"Comes now the National Association of Broadcasters and respectfully petitions the Commission to give favorable consideration to the recommendations herein contained with reference to the adoption of FCC Rules and Regulations regarding FM broadcast stations.

"The National Association of Broadcasters is a nonprofit corporation, the object of which is 'to foster and promote the development of the art of radio broadcasting; to protect its members in every lawful and proper manner from injustices and unjust exactions; to foster, encourage and promote laws, rules, regulations, customs and practices which will be for the best interests of the public and the radio industry.'

"Membership, both Active and Associate, is voluntary. Active membership is limited to individuals, firms or corporations engaged in the operation of a radio broadcasting station or a national network. At present the Active membership is made up as follows:

AM Broadcasting Stations	645
FM Broadcasting Stations	47
Television Broadcasting Stations	2
National Networks	2
Total	696

"Associate membership in NAB is open to licensees, applicants for licenses, equipment manufacturers, station representatives, transcription manufacturers, radio lawyers and consulting engineers, market research organizations, news services and telephone and telegraph companies. There is now a total of 155 in this type of membership. Thus the full Active and Associate membership stands at 851.

"In the interest of a more rapid and efficient development of FM broadcasting your petitioner respectfully requests the Commission to take favorable action on the following four suggested revisions in its FM Rules and Regulations. Since manufacturers of FM receivers are or will be almost immediately in production, it is urged that the Commission give prior consideration to I hereunder.

I

"In order that FM broadcasting may develop in a more orderly manner and with the least confusion to the public it is deemed of primary importance that the Commission revise its numerical system of numbering FM channel designations as set forth in Rule 3.201 by revising the channel numbering to start with #1 for 107.9 Mc; #2 for 107.7 Mc; #3 for 107.5 Mc, and so on downward.

"The purpose of this recommendation is to care for a condition which will arise in the event of the extension of

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the FM band in the future. The channel numbering on the lower end of the band could be extended indefinitely without completely revising the entire numbering system. Such a system will permit manufacturers to use channel numbers on their dials without the fear that future expansion in the FM band would make obsolete the dials of all sets then in the hands of the public.

"Should this proposal be adopted by the Commission, it is the intent of your petitioner to seek the adoption of uniform channel number designations by all set manufacturers. The use of channel numbers on receiving sets will, in our opinion, be much more acceptable because less confusing to the public than the use of megacycle assignments.

II

"Your petitioner further urges that the Commission give favorable consideration to the adoption of a rule authorizing the maintenance of joint program logs during any period of duplicate operation of standard and FM stations. It would appear that no useful purpose would be served by having separate logs for identical programs. From a practical operating standpoint such a requirement would impose an unnecessary burden.

III

"Your petitioner likewise recommends that the Commission permit the use of joint call letters during the duplicate operation of standard and FM stations for those stations desiring to make such joint announcement of call letters. It is our opinion that the use of joint call letters in many cases would assist materially in a more efficient operation. No reason occurs to us why joint call letters should not be used.

IV

"Your petitioner further recommends a revision of Rule 3.261 in so far as it requires that the minimum of six hours per day of operation required *"shall consist of three hours during the period 6:00 a. m. to 6:00 p. m., local standard time, and three hours during the period 6:00 p. m. to midnight, local standard time."*

It is our belief that the public will be better served by allowing station licensees to determine which six hours of the day they should operate in order best to serve their listeners. It is likely that should such restrictions be removed, FM stations operating in a single area may wish to stagger their hours of operation so that listeners may have a greater number of hours of FM programs available. As an alternative to the present rule, the Commission may find it desirable to require a minimum operating schedule per week in order to afford the greatest flexibility.

Respectfully submitted,

National Association of Broadcasters
By Robert T. Bartley,
Director, FM Department.

November 5, 1945.

SET RADIO NEWS CLINIC FOR SPRINGFIELD, ILL., NOV. 16

The broadcast industry's first radio news clinic will be held at the Abraham Lincoln hotel, Springfield, Illinois, Nov. 16, at 10:00 a. m. Host stations: WCBS and WTAX. Other such clinics will follow in the months ahead.

Purpose of clinic is two-fold: a) to discuss ways and means whereby a station may become the recognized source of important news in its listening area) which will result in b) a horizontal improvement in radio news throughout the country.

At its last meeting the NAB board of directors approved the Sept. 17 recommendation of the NAB Radio News committee "that there be held, under its sponsorship, regional meetings of radio station managers and news and special events directors for the discussion of problems of news broadcasting."

Les Johnson, director, NAB 9th District, and general manager, WHBF, Rock Island, invited the Radio News Committee to hold an Illinois clinic in November.

The invitation was accepted by E. R. Vadeboncoeur, committee chairman, and vice-president, WSYR, Syracuse. He and Arthur Stringer, secretary, NAB Radio News committee, are to attend and participate in the clinic. The appearance of long experienced radio newsmen from Illinois is being arranged. Fred S. Seibert, director, School of Journalism, University of Illinois, will also attend, to discuss libel.

Improvements Depend on Understanding

The NAB Radio News Committee believes that betterment in radio news, first of all, depends on the sympathetic understanding of management. In accord with this idea, the first part of the clinic will be devoted to learning from those present exactly what it is they want to know, what problems they face individually.

One-Man News Department

At the Illinois clinic Mr. Vadeboncoeur will give special attention to the operation of a one-man news department, how it should operate with maximum efficiency, how it will pay off.

BROADCAST ENGINEERING CONFERENCE RESUMES

The Broadcast Engineering Conference will be resumed this year under the joint sponsorship of The Ohio State University and the University of Illinois and with the continued cooperation of the National Association of Broadcasters and the Institute of Radio Engineers.

This is a continuation of the annual conferences held during the years from 1938-42 inclusive. Dr. W. L. Everitt, now head of the Department of Electrical Engineering at the University of Illinois, Urbana, Illinois, will continue to act as the director with Professor E. M. Boone of The Ohio State University as associate director.

The 1946 conference will be held at The Ohio State University in Columbus, Ohio, during the week of March 18-23. The conference will be held annually and the place of meeting will alternate between the campus of the Ohio State University and that of the University of Illinois.

Emphasis in the program will be placed on the impact of developments since 1942 on operating problems in broadcast engineering, including FM and Television.

As a result of the war, many engineers have moved or changed their affiliations and many new men have entered the field. The mailing list accumulated during previous conferences is obviously out of date. The director requests that those interested notify him of their present address so that they can be informed of the details of the program as soon as available.

Communications to Dr. Everitt should be addressed c/o University of Illinois, Urbana, Illinois.

NO RADIO SETS THIS YEAR

Information from set manufacturers indicates that it will be 1946 before sets will be reaching home buyers. How soon in 1946 is unpredictable because of anticipated strikes. These are expected about the time all OPA difficulties will be ironed out, and when short materials becomes available in quantity.

No news release from any source will bring radio sets to the public in any quantity during 1945.

AP TO VOTE ON RADIO MEMBERSHIPS

As a consequence of the recent Supreme Court decision upholding the lower Court in the now celebrated AP anti-

(Continued on next page)

trust decision, the by-laws committee of the Associated Press has sent proposed by-laws to all members which would eliminate the restrictions on membership which the courts hold to be in violation of the anti-trust laws, and make associate memberships available to radio stations and other non-members having use for a news service.

A special meeting of members has been called for 11 a.m. Nov. 28 at the Waldorf-Astoria in New York City to vote on the proposed changes recommended for adoption by the committee.

The proposed section of the by-laws affecting radio states that: "The sole owner of a newspaper shall also be eligible for associate membership, as are other persons, firms and corporations which have use for a regular news service of the corporation." Associate members have no other privileges other than as specifically granted and shall have no voting rights, either by virtue of the by-laws or the ownership of bonds of the corporation. They may, however, attend meetings, and be heard.

The present by-laws have been in effect, with slight modification for more than 40 years.

RCA PROTESTS BRITISH NEWS POLICY

According to AP, RCA Communications, Inc. says it will seek Government permission to install a station in the British zone to service American correspondents if the British continue their announced policy of allowing American newsmen in Berlin to use British communications only as "a courtesy" and during "clear time."

At the same time, Press Wireless, Inc., said "if this attitude on the part of British communications is to persist, there will undoubtedly be pressure brought to bear on American carriers in like manner to favor American correspondents."

WARNER GETS LEGION OF MERIT

Albert L. Warner, head of the WOL Washington Radio News Bureau, was awarded the Legion of Merit on Oct. 29 for his outstanding service as chief of the War Intelligence Division, War Department Bureau of Public Relations.

Warner, holding the rank of a colonel, headed the division from February 1944, to August, 1945. He gave official weekly review of military operations on the Army Hour.

Presentation of the award was made by Maj. Gen. Alexander D. Surles, AUS. Warner's citation read in part:

"Charged with maintaining military security in the War Department's relations with all media of public information, he accomplished his duties with the greatest tact and judgment, insuring that information valuable to the enemy was withheld while reports which would not endanger current or future military operations were disseminated. In the discharge of his difficult tasks, Colonel Warner gained the confidence and respect of the press, reflecting great credit upon himself and the War Department."

TRUMAN ATTENDS RADIO GALLERY DEDICATION

President Truman drove to the Capital Wednesday afternoon (7) to attend the official opening of the new Radio Correspondents Senate Gallery.

He was welcomed by NAB President Justin Miller, Richard Harkness, president of the Radio Correspondents Association and other broadcasters.

Willard D. Egolf, NAB director of public relations, accompanied President Miller in his visit to the Senate Radio Gallery dedication ceremonies.

The formal dedication was an event held in connection with National Radio Week.

Incidentally, Harry S. Truman became the first President to appear directly on television when he made a telecast address from Central Park in New York on the afternoon of Navy Day, Oct. 24.

ATTLEE FAVORS FREE FLOW OF NEWS

The free flow of news around the world "is essential" to the promotion of international cooperation, Prime Minister Attlee told a meeting of English editors on Nov. 6.

"To solve the problems of international rehabilitation and reconstruction, we shall need international cooperation on a scale and of a character never before accomplished," he declared at a newspaper society luncheon.

The Prime Minister invited newsmen from other countries to visit Britain, and said he hoped they would be coming "in increasing numbers."

"And believe me," he added, "there will be much exciting, encouraging and exhilarating news to report from Britain during the next few years."

PETRILLO

A large volume would be required to print any substantial part of the indignant comment that James C. Petrillo, president of the American Federation of Musicians has evoked in the press. NAB regrets its inability to furnish broadcasters with such a volume to supplement their own thinking on the subject, but is attempting to cover with a selected offering. The following comment comes from the Bridgeport, Conn., *Telegram* of Oct. 25:

> ". . . As in the case of Petrillo's ban on 'canned music' the ones to be hurt are the people in their homes who want to hear their favorite programs, and the advertisers who pay the revenues to compensate the musicians. The broadcasters have only one alternative. While the famous orchestras and soloists are performing for standard broadcasting, they will have to play records for the already large group of Americans who own FM sets.
>
> "When a broadcaster adds an FM transmitter to his standard broadcasting plant, he is not adding a new station to his network. It does not increase his listening audience. It merely provides the owner of an FM receiver with reception of the same program he would otherwise hear over the standard station.
>
> "Rather than increasing the broadcaster's revenue, it increases his operating costs since it calls for additional jobs. Petrillo's story to the union musicians is that under his system more musicians will get work. Good musicians are scarce. They get all the work they can handle, and they get it legitimately without the pressure methods of Petrillo which is causing them more harm than good . . .
>
> "It is regrettable they are led by a man who has assumed, and gets away with, such autocratic powers."

AFFIRMING FREE SPEECH

Under the heading *Affirming Free Speech*, the following editorial appeared in the Oct. 19 columns of the Ithaca, N. Y., *Journal:*

> "The unanimous opinion of the Federal Circuit Court of Appeals in a Pennsylvania case that a radio broadcasting station has a right to refuse to sell time to eight religious groups, is affirmation of the right of free speech, as well as of other rights. The court says that while it is true that for a person to speak or preach he must have some place from which to do it, it does not follow 'that he must seize a particular radio station for his forum.'
>
> "The court says: 'A radio broadcasting station is not a public utility in the sense that it must permit broadcasting to whoever comes to its microphone.' That is equivalent to the well-established qualifications of the use of a free press—newspapers, magazines and pamphleteers are free to print what they please, within legal bounds, but

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they cannot be compelled to print everything that may be offered them. The difference between radio and the press is that there is a limit to the number of radio outlets, while there is none to the opportunities for exercising the right of free press. Accordingly, radio is subject to federal regulation in many respects, but not to censorship. The court in the Philadelphia case holds that the broadcasting station violated no law in refusing to sell time to the protesting clients.

"As a matter of fact, the station against which the action was brought announced that it would give free time to religious programs, but these did not include the eight groups which brought suit. Had the opinion of the court been anything different from what was handed down, a partial monopoly of religious expression could have been exercised by the complainants. That would be the opposite to religious freedom, as well as a denial of the right of a medium of free speech to use its best judgment in rendering a public service."

WLAC SCHOOL SINGING CONTEST

Nashville, Tenn.—Broadcasting from the chapels of their respective schools, the student bodies of thirteen middle Tenn. High Schools are participating in a singing contest promoted by WLAC.

The contest is designed to fit in with the "Keep Singing, America" slogan, as well as to arouse an appreciation of choral singing in the high school students of this area.

The winning school will receive a cash award of $500, which must be presented to some worthy student of the school to be used as a scholarship.

Transcriptions of each broadcast are being made to assist the judges in determining the winning student body.

WIP SCHOLARSHIPS

Benedict Gimbel, Jr., president and general manager of station WIP, has announced the awarding of two one-year scholarships at the University of Pennsylvania, in connection with "Radio in Education."

The two winners are Miss Bette Clair Titus, a teacher at the Sultzberger Junior High School, and Miss Christine L. Staniforth, who teaches at the Houston Elementary School, Chestnut Hill. This is the second annual WIP scholarship award.

The scholarship committee is comprised of Mr. Gimbel, Miss Gertrude A. Golden, district superintendent and radio chairman of the Philadelphia public schools; Miss Ruth Wier Miller, assistant radio chairman of Philadelphia public schools; Dr. Frederick C. Gruber, University of Pennsylvania, and Mr. Sam Serota, educational director of WIP.

KALL USED NEW WIRE RECORDER

Salt Lake City, Utah.—Cooperating with the Salt Lake City Board of Education, station KALL has scheduled two weekly quarter-hours titled "Leaders of Tomorrow," to give Salt Lake residents on the spot programs showing school activities.

KALL's new G-E wire recorder is being used for some programs, being set up in city classrooms, gymnasiums and auditoriums to record actual class sessions and club meetings. Program Director Ken Bennett and Producer Dick Anderson report the wire recorder gives increased flexibility to school shows, enabling programs to be reproduced without interfering with classroom schedules.

KGW HAS "BEGINNING OF THE END" SHOW

"This is the beginning of the end" is title of new program with a topic dear to the hearts of thousands of GIs which KGW, Portland, Oregon, launched Nov. 6.

It was suggested by a similar sign at the Portland Army Air Base entrance. The weekly show will take listeners through the twelve stations of the separation center.

MID-SOUTH NET TO BUILD

The Mid-South network, comprising four Mississippi stations—WCBI, Columbus; WELO, Tupelo; WROX, Clarksdale, and WMOX, Meridian, is to be located in a new addition to the Gilmer Hotel, Columbus. Bob McRany, general manager, reports that construction work is under way.

"CITIZEN OF THE WEEK"

Capt. Al Vaughan, KOIN account executive, is Portland's (Oregon) "Citizen of the Week". His honor is proclaimed on 550 car cards of local traction company. Recognition was for work as squadron commander, Civil Air Patrol.

WRC SHIPS "HOMETOWN MUSIC" SHOWS

George Y. Wheeler, program manager, WRC, Washington, D. C., on Oct. 30, air-expressed two "Music from Your Hometown" programs featuring Nat Brandwyne's orchestra.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, Nov. 12.

NO COMMISSION MEETING

The Commission did not have its regular routine meeting this week until after this Bulletin went to press. Results of the meeting will be carried in next week's Bulletin.

MISCELLANEOUS

Valley Broadcasting Co., Pomona, Calif.—Granted petition for leave to amend application for new station so as to reflect change in the identity of the co-partnership, etc., and the amendment covering these matters was accepted.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted motion for leave to amend application for construction permit so as to increase power from 25 to 50 KW. on frequency **880 kc.**, etc., and the amendment was accepted.

KHQ—Louis Wasmer (transferor), KHQ, Inc. (transferee), Spokane, Wash.—Granted petition for dismissal without prejudice of application for voluntary transfer of control of Louis Wasmer, Inc. (KHQ).

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Granted license to cover construction permit which authorized change in frequency to **1370 kc.**, increase in power to 1 KW., installation of directional antenna for day and night use and new transmitter and move of transmitter. Also granted authority to determine operating power by direct measurement.

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APPLICATIONS FILED AT FCC

560 Kilocycles

WFIL—WFIL Broadcasting Co., Philadelphia, Penna.—Voluntary assignment of standard broadcast license to Triangle Publications, Inc. (The Philadelphia Inquirer Division).

710 Kilocycles

KGNC—Plains Radio Broadcasting Co., Amarillo, Texas.—Construction permit to change frequency from 1440 to **860 kc.**, power from 5 KW. day and 1 KW. night to 5 KW. day and night, install directional antenna for night use and change transmitter location. Amended: to change frequency to **710 kc.**, power to 10 KW. day and night, change type of transmitter, changes in directional antenna for day and night use and change transmitter location.

740 Kilocycles

NEW—Angel Ramos, San Juan, P. R. (P. O. 2 Barbosa St.).—Construction permit for a new standard broadcast station to be operated on **740 kc.**, power of 1 KW. and daytime hours of operation.

970 Kilocycles

WICA—WICA, Inc., Ashtabula, Ohio.—Involuntary transfer of control of licensee corporation from C. A. Rowley, deceased to Robert B. Rowley and Donald C. Rowley, trustees under the will of C. A. Rowley, deceased.

1230 Kilocycles

KSUN—Copper Electric Co., Inc., Lowell, Ariz.—Voluntary assignment of license to Carleton W. Morris.

1240 Kilocycles

KCOK—Herman Anderson, Tulare, Calif.—License to cover construction permit (B5-P-3607) which authorized a new standard broadcast station.

KCOK—Herman Anderson, Tulare, Calif.—Authority to determine operating power by direct measurement of antenna power.

KDON—Monterey Peninsula Broadcasting Co., Monterey, Calif.—Relinquishment of control of licensee corporation by Robert A. Griffin through sale of 5 shares common stock (0.25% outstanding) to Salinas Newspapers, Inc.

1400 Kilocycles

NEW—Fayette Associates, Inc., Montgomery, W. Va.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter.

1450 Kilocycles

NEW—Gulfport Broadcasting Co., Inc., Pensacola, Fla.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

1470 Kilocycles

KPLC—Calcasieu Broadcasting Co., (T. B. Lanford, R. M. Dean and L. M. Sepaugh), Lake Charles, La.—Construction permit to change frequency from **1490 kc.** to **1470 kc.**, increase power from 250 watts to 1 KW., install new transmitter and changes in antenna. Amended: re change type of transmitter, install directional antenna for day and night use and change transmitter location.

1490 Kilocycles

WJBK—James F. Hopkins, Inc., Detroit, Mich.—License to cover construction permit (B2-P-3872) for the installation of an auxiliary transmitter.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Authority to determine operating power by direct measurement of antenna power.

NEW—Airplane & Marine Instruments, Inc., Clearfield, Penna.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

KEEW—Radio Station KEEW, Ltd., Brownsville, Texas.—Authority to determine operating power by direct measurement of antenna power.

1600 Kilocycles

NEW—United Broadcasting Co., Inc., Montgomery, Ala.—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 1 KW. and unlimited hours of operation. Amended: re change in type of transmitter and antenna and change in studio location.

FM APPLICATIONS

WFIL-FM—WFIL Broadcasting Co., Philadelphia, Penna.—Voluntary assignment of FM broadcast license to Triangle Publications, Inc. (The Philadelphia Inquirer Division).

NEW—Potomac Cooperative Federation, Inc., Washington, D. C. (P. O. 2621 Virginia Ave., N. W.).—Construction permit for a new FM broadcast station.

NEW—Midwest FM Network, Inc., Grand Rapids, Mich.—Construction permit for a new FM broadcast station to be operated on **45.9 mc.** with coverage of 6,850 square miles. Amended: to change frequency to Channel #55 **(98.9 mc.)**, change coverage to be assigned, change transmitter location and antenna system.

NEW—Valley Broadcasting Co., a partnership composed of L. J. Duncan, Lelia A. Duncan, Josephine K. Rawls, Effie H. Allen, Allen M. Woodall and Margaret Aird Pill, Columbus, Ga.—Construction permit for a new FM broadcast station to be operated with coverage of 12,500 square miles. Amended: re change in studio location.

NEW—William Kleeman, Clarksville, Tenn. (Masonic Temple Bldg.)—Construction permit for a new FM broadcast station to be operated on Channel #90 **(105.9 mc.)**.

NEW—City of Jacksonville, Jacksonville, Fla. (Municipal Bldg.)—Construction permit for a new FM broadcast station to be operated on **98 mc.**, coverage of 13,720 square miles.

NEW—Southern Minnesota Broadcasting Co., Rochester, Minn.—Construction permit for a new FM broadcast station to be operated on **43.7 mc.** with coverage of 15,400 square miles. Amended: to change frequency to a channel to be assigned, change coverage to 5,000 square miles and change type of transmitter.

NEW—Neptune Broadcasting Corp., Atlantic City, New Jersey (P. O. Virginia Ave and Boardwalk).—Construction permit for a new FM broadcast station to be operated on a frequency in the **92-104 mc.** band.

NEW—The Haverhill Gazette Co., Haverhill, Mass.—Construction permit for a new FM broadcast station to be operated on **46.5 mc.** with coverage of 4,340 square miles. Amended: to change coverage to 4,208 square miles and change transmitter location.

NEW—The Monocacy Broadcasting Co., Frederick, Md. (P. O. East Church St.).—Construction permit for a new FM broadcast station to be operated on a frequency in the **92-106 mc.** band with coverage of 15,160 square miles.

NEW—Unity Broadcasting Corporation of New York, New York, N. Y. (P. O. 1710 Broadway).—Construction permit for a new FM broadcast station.

NEW—WHP, Inc., Harrisburg, Penna.—Construction permit for a new FM broadcast station to be operated on

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43.5 mc., coverage of 27,450 square miles. Amended: re change in transmitter location.

NEW—Drovers Journal Publishing Co., Chicago, Ill.—Construction permit for a new FM broadcast station to be operated on **48.7 mc.** with coverage of 10,800 square miles. Amended: to change frequency to a channel to be assigned, change transmitter and studio locations and change type of transmitter, and antenna changes.

NEW—Wisconsin Radio, Inc., Milwaukee, Wisc.—Construction permit for a new FM broadcast station to be operated on **46.1 mc.** with coverage of 7,750 square miles. Amended: to change name of applicant to Midwest FM Network, Inc., change frequency to Channel #55 **(98.9 mc.)**, change coverage to be assigned, change transmitter location and change type of transmitter and antenna changes.

NEW—Book-of-the-Month Club Broadcasting Corporation, New York, N. Y. (P. O. 385 Madison Ave.)—Construction permit for a new FM broadcast station.

NEW—Amalgamated Broadcasting System, Inc., New York, N. Y. (P. O. 11-15 Union Square).—Construction permit for a new FM broadcast station.

NEW—Dual Engineering Corp., Chicago, Ill. (P. O. 767 Milwaukee Ave.)—Construction permit for a new FM broadcast station to be operated on Channel #51 **(98.1 mc.)** with coverage of 10,650 square miles.

NEW—Jacksonville Broadcasting Corp., Jacksonville, Fla.—Construction permit for a new FM broadcast station to be operated on Channel #59 **(99.7 mc.)** with coverage of 8,700 square miles.

NEW—Louis Levand, Max Levand, John Levand, d/b as The Wichita Beacon Broadcasting Co., Wichita, Kansas (P. O. Beacon Bldg.).—Construction permit for a new FM broadcast station to be operated on Channel #50 **(97.9 mc.)**.

MISCELLANEOUS APPLICATIONS

WELX and WELW—WFIL Broadcasting Co., area of Philadelphia, Penna.—Voluntary assignment of relay broadcast licenses to Triangle Publications, Inc. (The Philadelphia Inquirer Division).

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Authority to transmit programs to Radio Station CJAD, Montreal, Quebec, Canada.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Isadore Pukel, trading as I. Pukel, 919-47th St., Brooklyn, selling and distributing musical vanity chests, fountains pens and other merchandise, is charged in a complaint with using various sales plans involving the operation of games of chance, gift enterprises or lottery schemes. (5399)

Sankoff Brothers Poultry Farms, Richland, N. J., selling and distributing baby chicks, are charged in a complaint with misrepresentation. (5398)

Elizabeth Scherer and Sherry Moore Scherer, trading as Sherry-Moore Gifts, 100 West 42nd Street, New York, selling and distributing luggage, vanity chests, toiletries and other merchandise, are charged in a complaint with selling and distributing their products under various plans involving the operation of games of chance, gift enterprises or lottery schemes when the merchandise is sold and distributed to the consuming public. (5400)

STIPULATIONS

During the past week the Commission announced no stipulations.

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist order last week:

J. E. Donaldson and H. M. Donaldson, formerly trading as Mirra Chemical Laboratories, 198 East Long Street, Columbus, Ohio, have been ordered to cease and desist from misrepresentation in connection with the sale of their preparation designated Mirra Moth Immunizer, represented as a "moth-preventative," and from use of the word "laboratories" to describe their processing plant. Since April, 1945, the respondents have traded as Mirra Chemical Co. (5301)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 46, November 16, 1945

LA GUARDIA HAILS RADIO AS "HOPE OF THE WORLD"

Hailing radio as "the hope of the world" Mayor Fiorello La Guardia joined with a group of 110 national organizations in praise of American radio's first quarter century of service at a Silver Jubilee luncheon in the Hotel Roosevelt, New York City, last Saturday.

A bound volume of letters of commendation was presented to Justin Miller, president of the NAB, who received them on behalf of the industry. On his acceptance, Judge Miller pledged the industry's continued support to the public interest.

The group represented outstanding leaders in religion, labor, education, press, civic organizations and the theatre.

Paul Porter, Chairman of the FCC, delivered a brief address which is published elsewhere in the REPORTS. Other speakers included Dorothy Thompson, Walter Hoving, Chairman of the Board of USO; Frank Braucher, president, the Periodical Publishers Association; Dr. Everett R. Clinchy, president, the National Council of Christians and Jews; Mrs. La Fell Dickinson, president, the General Federation of Women's Clubs; Dr. James L. Ellenwood, chief executive of the New York State YMCA; Dr. Mordecai W. Johnson, president, Howard University, and Miss Jane Cowl, actress. Miss Luella Laudin, secretary of the National Council of Women, presided and presented the toastmaster, Mr. John Mason Brown, dramatic critic and author.

PROPOSES TIGHTER CONTROL OF RADIO COMMENTATORS

In a statement made to newsmen on Nov. 10, Ernest Adamson, Counsel for the House Committee on Un-American Activities, announced that he is working on legislation to impose tighter Federal controls on radio stations and news commentators.

He told reporters that he will soon recommend that the Committee approve a bill which would compel radio stations to: (1) specify when a news broadcast is an interpretation of the news involving the personal opinions of the newscaster; (2) give more detailed information about the commentator and his sponsors; (3) designate a legal agent in every state within a radius of 500 miles against whom legal action can be brought in state court by any person who feels he has been injured by a broadcast.

Under present federal regulations, Adamson said, a person who wishes to sue a radio station must do so in the courts of the state or federal district in which the broadcast originated. "This isn't fair," he said.

Rep. Ellis E. Patterson (D., Cal.) promptly issued a statement calling the proposal "an unconstitutional attempt to control the airways."

SENATE COMMITTEE FAVORS FBIS

The Senate Appropriations Committee, Thursday (15), recommended a retraction of the entire $930,000 cut in the appropriation for the FCC recommended by the House for the 1946 fiscal year.

The Committee reported on the FCC appropriation as follows: "The appropriation for 1946 was $2,430,000. The House recommended a rescission of $930,000, leaving available for the whole fiscal year period the sum of $1,500,000. The obligation through September 30, 1945, amounted to $767,736, leaving available for the period October 1, 1945, to June 30, 1946, the sum of $734,264.

"The Committee recommends a retraction of the entire recission of $930,000. The funds available to the Commission would then be $1,664,264. These funds will be used to continue the Foreign Broadcast Intelligence Service, the importance of which to the State Department was testified to by officials of the State Department and the Radio Intelligence Division.

"The FBIS is responsible for the monitoring of foreign broadcasts and the Radio Intelligence Division for the policing of the radio spectrum to insure against unlicensed operation and to prevent interference with authorized radio communications."

$400,000 FOR 6 CIO-FM STATIONS

The executive board of the CIO United Automobile Workers on Nov. 11 authorized its radio committee to spend $400,000 to establish FM stations in Detroit, Chicago, Cleveland, Los Angeles, Flint and Newark. It was stated that the UAW will press vigorously for FCC licenses to operate the stations.

R. J. Thomas, international president, said the stations would be used not only as outlets for union members but for community programs. The funds appropriated are to cover cost of construction and operating deficits for the first year. It was said, however, that the stations would be made self-sustaining on a non-profit basis by "acceptance of advertising on a highly ethical plane."

HAMS BACK IN OPERATION

The nation's radio amateur operators still in good standing, estimated at 60,000, were eligible to return to the air under certain conditions effective November 15, 1945, it was announced on Nov. 9 by the Federal Communications Commission.

Except for a provisional period of operation in the 112 to 115.2 megacycle band from August 21, 1945 to November 15, 1945, the amateurs have been off the air since Pearl Harbor.

By Commission Order No. 130, effective November 15, 1945 (3 a.m., Eastern Standard Time), the Commission

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius. *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

assigned to the Amateur Radio Service certain frequency bands above 25 megacycles and validated certain amateur radio station licenses for a 6-month period from November 15, 1945, to May 15, 1946. The Order also cancels Commission Orders 72, 73, 87, 87A, and 87B. Licensed amateur operators may therefore begin operation on November 15, 1945 (3 a.m., EST) on a number of frequency bands in accordance with the terms of the Order. The Order expressly excludes use of all frequency bands by amateur stations in the Central, South and West Pacific Ocean areas.

FCC, ZENITH, ARMSTRONG ARGUE FM ALLOCATIONS

The Federal Communications Commission on Nov. 9, released the results of tests made by its Engineering Laboratory at Laurel, Md., which purportedly established the exact opposite of claims made by the Zenith Radio Corporation that FM operation in the higher band allocated by the FCC requires substantially more power.

According to an FCC release, the tests indicated:

"Field intensity measurements of a low-band FM station and a high-band FM station, of comparable power, both located in Washington, D. C., showed neglible difference in signal strength at the FCC laboratory, a distance of approximately 20 miles in spite of the fact that the low band station W3XO (43.2 megacycles) enjoys the distinct advantage of having an antenna more than 200 feet higher above sea level than W3XL (99.8 megacycles). The Commission engineers are of the opinion that if the two antennas were of the same height the field strength of the station operating in the new high FM band would exceed that of the old low FM band station.

"It is recognized that neither the Commission tests nor the Zenith tests are conclusive on the question of power. Subsequent tests may establish that somewhat higher power might be desirable in the new band. However, there is no warrant for any such conclusion on the basis of the limited data now available. From what is known today, it appears that power requirements for the new band will be substantially the same as requirements for the old band. The FCC tests show that the conclusions which have been drawn from the Zenith tests are not sound. Moreover, it is misleading to discuss only one phase of the problem, namely, power, which can be greatly reduced if antenna structures are designed for high gain and placed at high locations. For example, a New York station whose antenna is located on the top of the Empire State Building need only use 1.6 kilowatts of power to render service comparable to that of a 20 kilowatt transmitter feeding an antenna at a height of 500 feet.

"The Commission also stressed that its reason for moving FM broadcasting from the 40 to the 100 megacycles region was to minimize sky-way interference. The important point is that no sporatic E interference of the type found in the old band has been observed in the new FM band. This will benefit listeners, particularly in rural areas."

The Text of the FCC Engineering Laboratory Report follows:

"In accordance with your instructions, field intensity measurements have been made at the Laboratory at Laurel, Md., on Station W3XL, 99.8 Mc. and W3XO, 43.2 Mc. Both of these are FM stations now operating in Washington.

"Station W3XO, operated by the Washington Post, uses vertical polarization, and radiates one kilowatt at 43.2 Mc. Their antenna is located on top of a building which stands better than 400 feet above sea level. Station W3XL uses a 3-bay horizontally polarized turnstile antenna, with an elevation of less than 200 feet above sea level. The power gain of this antenna is approximately 4. Statements of the operators of this station give the estimated transmitter output as 250 watts. Using the power gain of the turnstile antenna, the radiated power along the ground is estimated at 1 kilowatt.

"Each of these stations then radiates about 1 kilowatt toward the Laurel Laboratory, which is about twenty airline miles away. There is no line of sight path, even from the higher station.

"Measurements were made on the field intensity recording equipment at Laurel for several nights. The indication was that the same fields were measured night after night. No tropospheric or other fading effects were noted during the two-hour operating periods on each night. Field intensity measurements were made with an RCA type 301-A Field Intensity Meter at a clear point removed from buildings and wires. At an elevation of thirty feet above ground, the following field intensity readings were obtained:

W3XO	43.2 Mc.	51.0 Microvolts per meter
W3XL	99.8 Mc.	47.3 Microvolts per meter

Proper polarization of the field intensity meter antenna was used in each case.

"These measurements appear to indicate that if both transmitting antennas were of comparable height, substantially higher field intensity would be measured at 99.8 Mc. than at 43.2 Mc. A direct comparison, taking these heights into consideration, is not possible because they are both below the line of sight. Also, the two signals travel over somewhat different paths as a result of about four miles spacing between transmitters. The measurements made for these special conditions should not be taken too generally, but it appears that the fields predicted by the Commission are substantially correct."

Statement of Major Armstrong

Major Edwin H. Armstrong, inventor of FM, in a statement issued in New York Nov. 8, characterized the FCC report on tests at Laurel, Md., as "meaningless" and asserted that the Zenith tests had finally resolved "the controversy between the commission's expert, K. A. Norton, and the members of the industry who built the FM art."

Major Armstrong noted that the FCC tests were conducted over a distance of twenty miles and that "no one has ever said that the differences in transmissions occurred at distances as short as twenty miles."

"The whole point of this discussion is that at distances over fifty miles, where the service is really needed, the lower band is the best," he continued.

"These are the distances over which the Zenith tests were made, namely, seventy-five miles. The commission's engineering department knows that this is so, for it has been recording signals from New York stations operating in the higher frequency band at its monitoring station at Andalusia, Pa., also over a distance of seventy-five miles. The measurements obtained at this distance confirm the Zenith measurements.

"I challenge the engineering department of the com-

(Continued on next page)

mission to appear at Rochester on Monday afternoon at the joint meeting of the Institute of Radio Engineers and the Radio Manufacturers Association when full details of the Zenith Radio tests will be presented, and to point out anything that is wrong with them.

"This is a matter of vital importance to the radio industry and to the radio listener and I know that the commissioners of the FCC, who have been sorely puzzled by the disagreement between their own engineering staff and FM's pioneer engineers are as anxious as anyone to get at the truth of the matter. I will be there."

CHAIRMAN PORTER'S ANNIVERSARY ADDRESS

Five minutes is hardly adequate to pay tribute to a quarter of a century of broadcasting. Indeed I could barely recite the naked statistics of what is in our pending files at the Federal Communications Commission. They indicate that the next 25 years will undoubtedly witness more exciting and startling developments than those which have heretofore taken place. However, as I toss at night upon the Etruscan couch of my particular bureaucracy, I sometimes am persuaded that one of the great miracles of the next generation would be the circumstances in which the FCC would become current in its broadcasting docket.

Four hundred and fifty applications for new standard broadcasting stations; 700 FM applications, the base of a new and superior technical broadcast service; 157 television applications awaiting the Commission's determination on allocations, standards and regulations. Thus it may be seen that there are many who desire to join the select circle which has brought such great opportunities to those now engaged in the business.

A broadcaster told me recently that this industry must be *more* than 25 years old. He observed that things could not have become so confused in such a short period of time. I think, however, that confusion was mistaken for growing pains and that perhaps what he meant was that we have not yet evolved a philosophy about this form of communications. The regulatory agency of government really has no fixed or stable guide posts in the areas of performance of broadcast service. And there are those who insist that government should have none. The NAB, I am informed, is currently revising its code which in the early days (that is back in 1929) provided, and I quote, "commercial announcements, as the term is generally understood, shall not be broadcast between 7 and 11 p. m."

Thus, I think it apparent that while the first 25 years of broadcasting have brought us a great technical system and the next quarter of a century will bring even greater scientific progress, all of us are fumbling and groping for a policy or a philosophy which would encourage broadcasting to realize its full potential.

In other words, I think it is clear to all of us that here, as in other fields, science has outstripped the moral values of society and that among other scientific miracles the atom bomb has made this the basic problem of our time. Our social scientists tell us that if civilization is to be saved from itself some new and more audacious methods must be found through which men will learn the way to harness science to moral values. Yet the Cult of Realism seems to have so blunted intellectual clarity that these values are not seen in relation with the specific conditions of human conduct to which they apply. I like to think of broadcasting as one obvious and powerful instrument which could create a more appropriate climate,—one in which relationships among men and nations will be seen and appraised on the basis of the new era we have entered. Public reaction has swung all too quickly into a lazy attitude that men may now be frightened into peace. History shows that men are too brave and adventurous to live permanently under the power of fear. We like to dream that just as governments pooled skill and knowledge of physical scientists for a more abundant death, so may it be possible to mobilize our spiritual and social resources for the purposes of peace.

Broadcasting possesses men and women with the vision and creative imagination who can bring to us not only taste in entertainment but an awareness of the obligations—the moral obligations, the religious and philosophical concepts—which all must agree are essential in the reevaluation of problems which mankind must meet to survive. And I take comfort in the prospect that broadcasters would be less didactic and ponderous in this undertaking than I have in my efforts to state the problem.

(Continued on page 533)

DISTRICT MEETING SCHEDULE REVISED

Due to the lack of availability of hotel facilities in Minneapolis-St. Paul and in Cincinnati, at the time the 11th and 7th District meetings were scheduled to be held, these meetings have been postponed to a later series. Following is the revised schedule for the first series of district meetings:

District	*Day*	*Date*	*Hotel*	*City*
16	Monday-Tuesday	Jan. 7-8	Roosevelt	Hollywood, Calif.
15	Thursday-Friday	Jan. 10-11	Fairmont	San Francisco, Calif.
17	Monday-Tuesday	Jan. 14-15	Olympic	Seattle, Washington
10	Friday-Saturday	Jan. 25-26	Fontenelle	Omaha, Nebraska
14	Monday-Tuesday	Jan. 28-29	Brown Palace	Denver, Colorado
13	Thursday-Friday	Jan. 31-Feb. 1	Baker	Dallas, Texas
12	Monday-Tuesday	Feb. 4-5	Tulsa	Tulsa, Oklahoma
6	Thursday-Friday	Feb. 7-8	Peabody	Memphis, Tennessee

Martin Campbell, WFAA, 13th (Texas) District Director requests that any who plan to attend that meeting and desire accommodations at the Baker Hotel communicate with him; and if at the Adolphus, with Clyde Rembert, KRLD.

"Telling the World" Report No. 1

Station Originations in Support Victory Loan

Period—Oct. 28-Nov. 3

(Network Originations Excluded)

Treasury Salutes		3,058
Music for Millions		2,766
Sing for Victory		1,570
Diary Personalities		1,404
Crosby Record		2,798
Gibbs Record		1,154
Wayne Record		1,102
Sports Personalities Speak		1,976
Industrial Leaders Speak		1,851
Spots	Regular Length	43,118
	2-min	1,716
	3-min	239
Programs	5-min	436
	10-min	281
	15-min	936
	25-min	10
	30-min	416
	40-min	42
	45-min	10
	50-min	21
	1 hour	45
	1½ hours	20
	2½ hours	41
	3 hours	22

Those who command vast public audiences have especial duties in the days ahead. Let the next 25 years become a true competition in excellence.

"REPORT FROM THE CAPITOL" WGAR FEATURE FROM WASHINGTON, D. C.

John Patt, Acting Chairman of the NAB Public Relations Committee, at the request of the Committee, sent the following experience story for publication in NAB Reports:

"WGAR, Cleveland, believes the relationship between a radio station and the senators from its state and the congressmen from the districts in which it is effectively heard should form a two-way street. The radio station which is alert in its community can act in part as the eyes and ears of a legislator in letting the representative know what is going on back home. Similarly the legislator owes it to his constituency to appear regularly on the radio station to report back to the community on the problems of the nation as they affect not only the nation and the state, but the local community as well.

"It is in this spirit that WGAR maintains and has maintained for many years a weekly 15-minute program known as 'Report from the Capitol.' A WGAR reporter in Washington interviews a different senator or congressman each week on the questions before the legislature at the moment. Those who participate on WGAR in rotation are Senators James Huffman (formerly Harold H. Burton), Robert A. Taft, and Congressmen Frances P. Bolton, Michael Feighan and George Bender. Congressman Crosser has been invited but has not been able to accept recently because of illness. In addition to these congressmen other legislators occasionally appear in addition to Ohio and Cleveland personalities in Washington.

"In addition to the weekly broadcasts there are occasional specials when the news developments warrant.

"If all radio stations maintained a similar relationship with their representatives in Congress, Mr. Patt maintains there might well be a better understanding of the public interest character of broadcasters by our representatives, and by the same token the stations would have a very fine public interest broadcast for their listeners."

ELMER DAVIS RETURNS TO AIR

Elmer Davis, former director of the Office of War Information and well known radio commentator, author and journalist, will return to the airwaves on Sunday, Dec. 2, when he launches a new series of news commentary and interpretation, according to a new release made by the American Broadcasting Co.

In his new broadcast series, which will originate from Washington, Davis will, in his own words, "try to explain the news—one of the most important and responsible jobs anyone can undertake in these times."

In addition to his newspaper, radio and governmental activities, Davis is well known as the author of several collections of essays and short stories. He is married and the father of two children.

RADIO PROMOTES HALLOWE'EN SAFETY

Worcester, Mass.—While other cities reported major youth disturbances on Hallowe'en Eve, Worcester, Mass., enjoyed a comparatively quiet evening. Cause of the safe and sane celebration was a campaign conducted jointly by WTAG, newspapers, and other agencies in the city to promote group parties and keep malicious mischief at a minimum.

WTAG aired broadcasts from schools, interviewing youngsters who planned to celebrate without endangering life and property. The station's mobile unit was also lent to other radio stations to travel to other schools and similarly promote a safe celebration.

Results of the campaign: Police headquarters revealed only a few complaints were received from residents, while firemen disclosed they were called to only seven false alarms.

BRAILLE PROGRAM LOGS AT WSAM

Saginaw, Mich.—A sale of victory bonds has lead to a new WSAM service—printing of Braille Program Logs for the blind.

Following a bond-selling broadcast, a call came from the Saginaw Branch of the Michigan Employment Institute for the Blind. Bob Phillips, WSAM manager, drove at once to the institute to deliver the bonds.

Curiosity prompted him to ask Mr. Sam Chelenets, purchaser of the bonds, and sightless supervisor of the rug-weaving department at the Institute, just how he was able to know what radio programs were scheduled. "I have a boy come in and read them to me from the paper once a day", Mr. Chelenets explained to the WSAM manager.

Phillips contacted Dr. Edward L. Collins, M. D., blind superintendent of the Institute, and suggested the use of the braille presses at the Institute for the making of radio logs. Dr. Collins immediately gave enthusiastic support and the first log made its appearance Friday, Nov. 9, 1945, in time to celebrate the twenty-fifth anniversary of the radio industry.

"To WSAM's knowledge," says Bob Phillips, "this braille edition of program schedules is the first to be printed. Copies will be distributed in cooperation with the Michigan State Institute for the Blind, under the direction of Miss Stella Mackie to all blind men, women, and children in the WSAM-serviced area."

Manager Phillips invites any station wishing information on this service to write to him at WSAM.

KGVO SURVEYS NEWS COVERAGE DURING NEWSPAPER STRIKE

Missoula, Mont.—During a month-long printer's strike which suspended publication of the city's two daily newspapers, KGVO had occasion to measure its news coverage as a service to the community. Research by the station's news bureau revealed that the station broadcast news and news features daily equivalent to the content of a seventeen page daily newspaper.

VETERINARIAN FULL-TIME ON KXEL

Waterloo, Ia.—Station KXEL claims the distinction of being the first commercial station in the United States to maintain a practicing veterinarian full-time on its staff.

As Director of KXEL's Department of Animal Science, Dr. L. F. Bacon broadcasts daily at 7:00 A. M., giving farmers the benefit of his experience in the care of their livestock. He also holds clinics and demonstrations for farmers in the interest of greater livestock production.

TO HEAD SMALL MARKET STAFF

J. Allen Brown, general manager of WFOY, St. Augustine, Fla., and a 12-year radio veteran with an outstanding record in sales and management, reports to the NAB December 1 to become Assistant Director of Broadcast Advertising.

Brown will devote particular attention to the problems of Small Market Stations and will serve as secretary of that NAB committee, headed by Marshall Pengra of KRNR, Roseburg, Ore. He will also work on the develop-

(Continued on next page)

ment of additional retail radio advertising, one of the Broadcast Advertising Department's major objectives for the coming year.

"The addition of Mr. Brown to our staff is the first move in an expansion plan authorized by President Justin Miller to render increased service to small market stations and to develop further the field of retail radio advertising," Frank E. Pellegrin, director of broadcast advertising, stated: "Further additions are planned, but the most urgent need is being filled now. There are 424 stations in the small markets classification; numerically these represent nearly half the radio industry. While all NAB departments have been serving the needs of these stations in sales, research, engineering, etc., it has long been felt that there should be an experienced executive on the NAB staff to work particularly with this group and to coordinate the work of all other NAB departments in the solution of their problems."

Brown entered radio in 1933 as a producer-announcer with WJBY, Gadsden, Ala. He joined the sales staff of the station two years later but continued to operate also as producer, master of ceremonies and station promotion man, organizing vaudeville units, barn dance jamborees and other touring radio shows. In 1938 he became sales manager of a new station, WHMA, Anniston, Ala.. and the following year was made general manager of another new outlet, KXOX, Sweetwater, Tex., where he experienced the multiple problems of launching a new station in a small market. He later returned to WHMA as general manager, leaving in 1942 to open another new station, WHIT, New Bern, N. C. It was here that a national sales record was established, according to the United Press, when the station opened with 100 weekly sponsored programs of news and news features.

He went to WFOY as general manager in 1942, and within 30 days the station showed a 94% increase in news program sponsorship, and general business increases ranging from 150% to 200% annually over the previous year's billing. At WFOY he was associated with Frank King, president of the Florida Broadcasting Co. and former member of the NAB board of directors, and Glenn Marshall, president of the Fountain of Youth Broadcasting Co. and a member of the NAB Small Market Stations Executive Committee, both of whom recommended Brown highly for his new post.

In addition to sound sales and management practices, his operations have been characterized by a high degree of local showmanship, which have received frequent attention nationally through radio trade journals.

Prior to entering radio Brown gained wide experience in retailing, having "grown up" in retail stores operated by his grandfather and father. At 19 he became manager of an A. & P. super-market, the youngest manager in the retail chain. Later he headed departments of advertising, display and sales for Sears Roebuck & Co., and for a time operated his own advertising and sales promotion agency, specializing on small retail accounts.

Brown married the former Miss Eloise Sigrest, graduate of the University of Alabama; they are the parents of two children.

WILLARD D. EGOLF NAMED SPECIAL COUNSEL TO NAB

Willard D. Egolf, former Director of Public Relations, has been named Special Counsel to the National Association of Broadcasters, it is announced today.

Mr. Egolf has been with the Association since February, 1943, first as Assistant to the President and later as Director of Public Relations, during the war service of Col. E. M. Kirby, Chief, Radio Branch, War Department Bureau of Public Relations, who returned November 8 as NAB Public Relations Counsel.

A member of the American Bar Association, the Federal Communications Bar Association, and the Oklahoma State Bar Association, Mr. Egolf actually has served as special counsel throughout the period of his connection with NAB. Relinquishing the duties of public relations director will permit him to devote full time to legal matters.

Closely identified with the administration of the former NAB Code, he prepared the program of revision for the Code Committee which resulted in the adoption of the present Standards of Practice by the NAB Board August 7, 1945, with amendments to the Association By-Laws. He appeared for NAB in the WHKC-CIO case and gave lengthy testimony on the origin, intent, and methods of administering the former Code. Mr. Egolf is an authority on the broadcasting industry's Standards of Practice and in addition is a member of the Code Committee of the Advertising Federation of America, which is now redrafting the advertising profession's standards of practice.

The book, "Management in the Public Interest," in the compilation of which he drew upon his eleven years' experience in station operation, is an authoritative guide to programming in satisfaction of a licensee's obligation under the Communications Act. The volume is also being used in the preparation of applications for station licenses, NAB has learned.

As NAB Director of Public Relations Mr. Egolf was perhaps best known for his efforts in promoting the observance of 1945 as Radio's Twenty-fifth Anniversary year, culminating in National Radio Week, which established an enviable record of industry cooperation, and participation of numerous organizations and individuals.

Active in the affairs of the Federal Communications Commission Bar Association, he is Associate Editor of the Bar Journal and Chairman of the Annual Banquet, planned for January, 1946.

LISTENER ACTIVITY

Dorothy Lewis, NAB's Coordinator of Listener Activity, has completed a three-day speaking tour in upstate New York. On Monday, Nov. 12th, she appeared at a WIBX-sponsored luncheon for top civic and educational leaders to plan expanded community activity. On Tuesday, Nov. 13th, Mrs. Lewis addressed the combined conventions of the New York State Farm Bureaus, New York State Granges, and 4-H Clubs at Syracuse and Rochester, and on the 14th, she spoke before a meeting of the Federation of Women's Clubs.

Returning to New York Nov. 15, she acted as chairman at the regular Advertising Women's Luncheon when Mr. Robert L. Lund of St. Louis, president of Junior Achievement, spoke on "Tomorrow's Tycoons."

KMJ, KFBK GIVE 4-H PLAQUES

Sacramento, Cal.—A promotion which is credited with bringing about increased activity among 4-H Clubs in the productive interior valleys of California has just been completed by radio stations KMJ and KFBK acting in cooperation with their newspaper affiliates, the Fresno *Bee* and the Sacramento *Bee*.

At dinners held in Fresno and Sacramento, the outstanding 4-H Clubs were presented with especially made plaques in recognition of their year's work, while the adult leaders were given certificates of merit. In Fresno, where the program of incentive awards was started a year earlier than in Sacramento, 40 gavels also were awarded to outstanding clubs.

One hundred and twenty-five attended the Fresno affair and 200 the Sacramento function, both groups including 4-H Club officers and All Stars and the adult leaders from the counties served by the radio stations and the two *Bees*.

IRE ELECT NEW OFFICERS

The election of Dr. Frederick B. Llewellyn of Summit, New Jersey, as President of the Institute of Radio Engineers for the year 1946, was announced Tuesday by the Board of Directors of that society. He succeeds Dr. William L. Everitt, head of the Department of Electrical Engineering of the University of Illinois.

Dr. Llewellyn, a consulting engineer on the staff of Bell Telephone Laboratories, is an international authority on the design of vacuum tubes used for communication and electronic control purposes. In 1936 he received the Morris Liebman Memorial prize for his analysis of reactions within the vacuum tube.

Elected with Dr. Llewellyn, as Vice President, was E. M. Deloraine, President of the International Telecommunication Laboratories, New York, and well known in engineering circles in this country and in Europe. Three directors were also elected: Dr. Walter R. G. Baker, Vice President of General Electric Company, Syracuse, New York; Dr. Donald B. Sinclair, Assistant Chief Engineer of General Radio Company, Cambridge, Mass.; and Virgil M. Graham, Plant Manager of Sylvania Electric Products, Inc., Williamsport, Pa. Installation will take place in January at the annual meeting, which is to be held the first day of the Winter Technical Meeting at the Hotel Astor.

The election is the thirty-fourth in the history of the Institute, which was established in 1912. It has headquarters in New York City, and embraces Sections in key industrial centers throughout the United States and Canada, and members throughout the world.

IRE DINNER

Eleven hundred radio technicians and executives of the Institute of Radio Engineers attended a "pioneers" dinner in New York, Nov. 9, to commemorate the progress of radio through two wars. It was the first gathering of its kind for the engineers, research men and other technicians who have been active in wireless and radio since 1900.

John V. L. Hogan, consulting engineer and founder and president of Radio Station WQXR in New York, addressed the meeting and traced the history of radio and the institute. Among the guests at the dinner were Maj. H. C. Ingles, Chief Signal Officer of the Army; Rear Admiral J. R. Redman, director of Naval Communications; Maj. Gen. George L. Van Deusen, Chief of Engineering and Technical Service of the Army; Maj. Edwin H. Armstrong, inventor of the superheterodyne; Gano Dunn, Dr. W. L. Everitt, Maj. Gen. H. M. McClelland, Maj. Gen. Roger B. Colton, Harry Sadenwater and Sgt. Irving Strobing.

WILLARD TO SPEAK

A. D. Willard, Jr., NAB executive vice president, has accepted an invitation to participate in a conference on "What's Ahead for American Liberties" sponsored by the American Civil Liberties Union at Hotel Biltmore, New York, on Nov. 24.

Mr. Willard has been asked to discuss the practical problems dealing with national and international freedom of the air.

DUNTON NEW CBC CHAIRMAN

Arnold Davidson Dunton, 33, took up his new duties yesterday (15) as the first full-time chairman of the Board of Governors of the Canadian Broadcasting Corp., a position which places him in control of all broadcasting, both government and independent, in Canada.

Mr. Dunton, who is well known to broadcasters in the States, moves to his new position from the general managership of Canada's Wartime Information Board.

He has an excellent record of achievement and Canadian press expressions on his selection manifest wide approval.

The following comment appeared in the Oct. 24 editions of the *Montreal Star:*

"The appointment of A. Davidson Dunton to the position of full-time chairman of the Canadian Broadcasting Corporation is a sound choice. Mr. Dunton did excellent work as head of the Canadian Wartime Information Board, from which position he only recently resigned. The ability he displayed in that post won for him commendation not only from Canadian officials but from many outside Canada who had occasion to observe him at work at the War Conference held at Quebec and on other occasions.

"The post to which he has been appointed is no sinecure. The direction of the C.B.C. has been one of the major headaches of the Canadian Government ever since its establishment. The history of the organization has been very much of a stormy one. Politics have been dragged into it on every conceivable occasion, and nobody so far has been able to separate it from politics. Private interests controlling private broadcasting stations have provided plenty of trouble, programmes plenty more, and outside influences seeking favours still more trouble.

"Mr. Dunton's appointment is in line with the recommendation made by the Parliamentary Radio Committee last year, which proposed that a general manager should be appointed for the C.B.C. to handle administration and technical operation, while a full-time chairman would put into effect the policies decided upon by the Board of Governors and also control all questions of public relations. Dr. Frigon was appointed general manager some time ago, having previously occupied the position of assistant general manager. Now Mr. Dunton's appointment puts into operation the plan of direction and control recommended by the committee. Mr. Dunton will be the court of last resort so far as authority is concerned.

"The chairmanship of the Board offers no bed of roses. It is a position which calls for the exercise of continual tact, but still more for firmness. Mr. Dunton is a young man, and this is a young man's job, with plenty of trouble, plenty of problems and plenty of irritations attached to it. Those who have watched Mr. Dunton's career will look forward with confidence to the reform of the C.B.C. under his direction. It will not be an easy task, nor can it be accomplished speedily. There is a lot of reform to be done, but it is a job that has long required to be done, and we hope that Mr. Dunton will meet with success in his new position."

NAB ASSISTS BROADCASTERS IN TAX CASE

NAB through its attorneys, John Morgan Davis and Milton J. Kibler, has prepared a memorandum brief to be filed in the U. S. District Court, District of New Mexico. Leave will be asked to intervene *amicus curiae* (friend of the court) on behalf of New Mexico broadcasters in a tax case involving the disputed right of the state to impose a privilege tax and the requirement that each station take out a license as a prerequisite to the doing of or continuing to do a business of broadcasting within the state (see *NAB Reports*, page 520). The full text of the brief follows:

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

No. 953 Civil

KGFL, INC., A CORPORATION, ROSWELL, NEW MEXICO,
Plaintiff,
vs.
BUREAU OF REVENUE OF THE STATE OF NEW MEXICO, AND R. L. ORMSBEE, COMMISSIONER,
Defendants

Memorandum Brief Amicus Curiae

The National Association of Broadcasters, Inc., respectfully submits this Brief as a Friend of the Court in an

(Continued on next page)

endeavor to stress some of the broader aspects of the case which are of widespread public interest and which vitally affect the radio broadcasting industry. Attention is directed to the interstate commerce involved in or affected by radio broadcasting, even such broadcasting activities as may otherwise appear to be purely local in character. Another item of major interest is the authority of a state to regulate or license an activity which does so affect or involve interstate commerce, particularly where Congress has already pre-empted the field.

The National Association of Broadcasters is a non-profit corporation, the object of which is "to foster and promote the development of the art of radio broadcasting; to protect its members in every lawful and proper manner from injustices and unjust exactions; to foster, encourage and promote laws, rules, regulations, customs and practices which will be for the best interest of the public and the radio industry."

Membership is voluntary and active memberships are limited to licensees of radio stations and to national networks. As of Nov. 3, 1945, the Association had 697 members, composed as follows:

646—Standard licensees
47—FM licensees
2—Networks
2—Television licensees

The plaintiff is a member of the National Association of Broadcasters.

Points for Consideration

1. Radio Broadcast Station KGFL, Inc., a corporation located at Roswell, New Mexico, duly licensed by the Federal Communications Commission under and pursuant to the Federal Communications Act of 1934 (48 Stat. 1064, 47 U. S. C. A. 151), is engaged in interstate commerce.

2. The New Mexico Emergency School Tax Act being now designated as Article 14, Chapter 76, New Mexico Statutes 1941, annotated, which levies a 2% tax upon the gross receipts of radio broadcasting, is a regulation of and a burden upon such interstate commerce and is therefore invalid in its application to this plaintiff as being in violation of Article I, Section 8, clause 3 of the Constitution of the United States.

3. The aforesaid New Mexico Emergency School Tax Act requiring all persons, firms, or corporations operating a radio broadcasting station, to take out a license and pay a license tax as a prerequisite to doing or continuing to do such a broadcast business within the said state and providing a penalty for failure to do so, is a regulation of and a burden upon such interstate commerce and is therefore invalid in its application to this plaintiff as being in violation of Article I, Section 8, Clause 3 of the Constitution of the United States.

(1)

Radio Broadcasting Is Interstate Commerce

The regulation of radio communication by land stations was the subject of Congressional legislation for the first time in the radio Act of 1912.[1] The introduction to that statute included a statement to the effect that the activity, namely, radio transmission, which Congress thereby sought to regulate was commerce.

The United States Attorney General in various opinions [2] since the passage of the Act of 1912 has consistently held that the power to regulate interstate and foreign telephony was in the Federal Government. He based his opinions by analogy to the early telegraph cases [3] *and advised that the Federal Government has such plenary jurisdiction over radio as to extend to the regulation of intrastate radio transmission which interfered with this activity in its interstate aspects.*[4]

One result of the growth of radio broadcasting was the development of *interference in the use of wave lengths.* Confusion resulted and the Secretary of Commerce was unable to deal effectively with the problem under the powers vested in him by the Act of 1912. This led to the enactment of the Act of 1927.

Section one (1) of the 1927 Act clearly shows the intent of Congress to treat radio telephony as commerce.

> "* * * No person shall use or operate any apparatus for the transmission of energy or communications or signals by radio * * * (d) within any State when the effects of such use extend beyond the borders of said State, or when interference is caused by such use, or operation with the transmission of such energy, communications, or signals from within said State to any place beyond its borders to any place within said State, or with the transmission or reception of such energy, communications, or signals from and/or to places beyond the borders of said State."

Accordingly, Congress assumed jurisdiction to regulate *intrastate* broadcasting *where* it causes interference with interstate and foreign transmission.

In the Act of 1934 (Communications Act 48 Stat. 1064 (1934) 47 U. S. C. A. Sec. 151, 301 (1937)) Congress reaffirmed its authority to regulate radio broadcasting by relying upon its powers to regulate interstate and foreign commerce. This Act re-enacted the broad scope of jurisdiction defined in the Act of 1927 (Sec. 301, of this Act is identical to Section 1 of the 1927 Act, cited above).

In the case of the *Federal Radio Commission* v. *Nelson Bros. Bond & Mortgage Co.*, 289 U. S. 266, 77 Fed. 1166 (1932) the Supreme Court of the United States upheld the constitutionality of the 1927 Act. The case went up on a writ of certiorari to review a decision of the Court of Appeals for the District of Columbia (61 App. D. C. 315; 62 Fed. 2nd 854) which reversed an order of the Federal Radio Commission, reducing the operating time of the license in pursuance of the Commission's allocation powers under the Davis Amendment.[5] The Supreme Court upheld the powers of the Commission under the Act as constitutional on the grounds that the standards contained in the statute were not too indefinite. The decision of the Court of Appeals was reversed and the original order of the Commission was upheld. The question of the power of Congress to regulate radio broadcasting as interstate commerce was not raised directly, although Chief Justice Hughes did have this to say in the following dictum:

> "No question is presented as to the power of the Congress, in its regulation of interstate commerce, to regulate radio communication. No state lines divide the radio waves, and national regulation is not only appropriate but essential to the efficient use of broadcasting facilities."

Where Interstate and Intrastate Operations Are Commingled

Where operations in interstate commerce also have purely local effects of intrastate commerce, the power of Congress extends to every operation of intrastate commerce which is commingled with operations in interstate commerce.[6] The power of Congress is supreme.

In *Houston E. & W. Rwy. Co.* v. *U. S.*,[7] the United States Supreme Court upheld the rate-making power of the Interstate Commerce Commission in connection with purely intrastate operations of an interstate carrier, where the intrastate rates set up by the Texas Rwy. Commission were held to constitute a burden upon interstate commerce. In this case the Court said:

"The fact that carriers are instruments of intrastate

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[1] 37 Stat. 302 (1912).

[2] 24 opp. Atty. Gen. 100 (U. S. 1902) 29 opp. Atty. Gen. 579 (U. S. 1912) 35 opp. Atty. Gen. 126 (U. S. 1926).

[3] *Pensacola Telco* v. *Western Union Tel. Co.*, 96 U. S. 1, 24 L. Ed. 708 (1878); *Western Union Tel. Co.* v. *Pendleton*, 122 U. S. 347, 30 L. Ed. 1187 (1886).

[4] 35 opp. Atty. Gen. 126 (U. S. 1926) accord ***U. S.* v. *Gregg***, 5 Fed. Supp. 848 (D. C. Tex. 1934).

[5] In considering application for licenses, and modifications and renewals when and insofar as there is demand for the same, the Commission shall make such distribution of licenses, frequencies, hours of operation, and of power among the several states and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same. (See Public 652, 74th Cong., approved (1936)).

[6] Minnesota rate cases, 230 U. S. 352, 57 L. Ed. 1511 (1913).

[7] 234 U. S. 342, 58 L. Ed. 1341 (1914) accord *Colorado* v. *U. S.*, 271 U. S. 153, 70 L. Ed. 878 (1925), *So. Rwy.* v. *U. S.*, 222 U. S. 20, 56 L. Ed. 72 (1912).

> commerce as well as of interstate commerce, does not derogate from the complete and paramount authority of Congress over the latter to preclude the Federal power from being asserted to prevent the intrastate operation of such carriers from being made a means of injury to that which had been confided to Federal care. Wherever the interstate and intrastate transaction of carriers are so related that the government of one involves the control of the other, it is Congress, and not the state, that is entitled to prescribe the final and dominant rule, for otherwise Congress would be denied the exercise of its constitutional authority and the state, and not the nation would be supreme within the national field."

The cases cited in footnotes 6 and 7 also sustain the view that since radio broadcast operations generally involve a commingling of interstate and intrastate service in the same station, Congress has the supreme power to regulate interstate transmission insofar as it affects interstate service.

Section 301 of the Communication Act of 1934, which is identical to Section 1 of the 1927 Act quoted above, was considered in the case of *U. S.* v. *Gregg.*[8] In that case, an action was brought by the United States to restrain a station from operating radio broadcast apparatus without a license from the Federal Radio Commission. The station's broadcast operations were factually purely intrastate. In fact, its service area covered a radius of not more than thirty miles. The station alleged as a defense that it exerted every effort to minimize interference with interstate broadcasts and that Congress had no power to regulate intrastate operations in a broadcast station. The District Court found as a fact that, "under ordinary circumstances" the defendant station could not be heard in any other state, and also that "under ordinary circumstances" the station caused no interference with broadcasts from other Texas stations to points outside the state. The Court, however, found that the defendant's transmission of radio signals interfered with the transmission by stations outside Texas to points within the state. It was held that such interference came within the provision of Section 1 (d) of the Act of 1927 (cited supra). The Court held that Congress may lawfully, under Section 1 (d), require the licensing and regulation of intrastate radio broadcast stations whose operations interfere with interstate radio transmission.

Although *U. S.* v. *Gregg* has never been reviewed by a higher court, the decision is unquestionably sound and is also amply supported.[9]

In the case of *U. S.* v. *American Bond and Mortgage Co.*, 31 F. (2nd) 448, the Court in upholding the right of Congress to regulate all broadcasting had this to say:

> *"In view of the nature of broadcasting it would be utterly impossible to regulate and protect one class without bringing the other under the regulatory authority.*
>
> "The contention that the act, in bringing the broadcasting stations themselves under national control, transcends the power of Congress, overlooks the fundamental nature of this species of commerce. The transmission is brought about by concert of action on the part of broadcaster and receiver. The regulation is for the purpose, not only of protecting the broadcaster in his operations, but also for the purpose of promoting the interests of the public, who are obliged to submit to whatever is sent out for their reception.
>
> "The authority of Congress extends to every instrumentality or agency by which commerce is carried on, and the full control of Congress of the subjects committed to its regulation is not to be denied or thwarted by the commingling of interstate and intrastate operations. The execution by Congress of its constitutional power to regulate interstate commerce is not limited by the fact that intrastate transactions may have become so interwoven therewith that the effective government of the former incidentally controls the latter. This conclusion necessarily results from the supremacy of the national power within its appointed sphere. Simpson et al. v. Shepard, 230 U. S. 352, 399, 33 S. Ct. 729, 57 L. Ed. 1511, 48 L. R. A. (N. S.) 1151, Ann. Cas. 1916a, 18, and cases cited.
>
> "The necessary limitation upon the number of stations, the interferences resulting from uncontrolled broadcasting in the same channel and the interests of the receiving public require that stations shall be classified, the nature of the service rendered by each class prescribed, wave lengths assigned, the location of stations determined, apparatus supervised—in short, that transmission be brought under a control which, instead of permitting the benefit to the public to be destroyed by conflict and confusion, will make it as great as possible.
>
> "In asserting the unreasonableness of the control assumed by Congress defendants stress the rights of the broadcaster. *The emphasis should be laid on the receiving public, whose interest it is the duty of the Government, parens patriae, to protect.*" (Italics supplied.)

We Have Seen That Congress Has Entered the Field of Radio Broadcasting and We Have Seen That Such Regulation Has Had the Support of the Judiciary.

Accordingly, no legislation infringing upon the jurisdiction of Congress within the limits of its regulatory power, may validly be enacted by state or local governments. This proposition is illustrated by the unconstitutionality of considerable legislation enacted by the states as a means of deriving revenue from interstate commercial activities. Such statutes were unconstitutional because they invaded the field of Federal regulation.[10]

(2)

The New Mexico Act Is an Invalid Attempt to Burden Interstate Commerce

All interstate commerce is immune from direct and indirect burdens imposed by acts of state and local governments. Since radio broadcasting has been held to be interstate commerce, it is included within the constitutional protection of that activity.

The nature of a tax is of importance in determining its validity. Taxes on gross income and license taxes as in the statute before us are the types that have been held invalid.

The United States Supreme Court has held that a state occupation tax, measured by the gross receipts from radio broadcasting by stations within the state, is unconstitutional.[11] The Supreme Court of the State of Washington, whose decision was reviewed on certiorari, had conceded that broadcasting was commerce, and that the broadcast by the station of its own sustaining programs, for which no compensation was received, was interstate commerce. The Washington Supreme Court, however, concluded that the business of transmitting commercial broadcasts was not interstate commerce since in such instances, the station furnished its facilities to its customers for broadcasts of their respective programs within the state. This was analogized to the business of providing a bridge for use of others to cross state lines, which is not commerce. The state court reasoned that the broadcast station completes its business operations by making its facilities available to commercial advertisers. The court further found that thereafter, the advertiser is engaged in interstate commerce, but the broadcast station, having fulfilled its obligation, is not.

The U. S. Supreme Court dismissed this argument by stating:

> "But it sufficiently appears * * * that appellant and not the customer, generates the electric current and controls the apparatus (generator, transmitter and their controls) (by which the sounds are broadcast) * * *; that the broadcasting of radio emanations, as distin-

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[8] 5 F. Supp. 848 (D. C. Tex. 1934).

[9] *Pensacola Tel. Co.* v. *Western Union Tel. Co.*, 96 U. S. 1, 24 L. Ed. 708; Minnesota rate cases, 230 U. S. 352, 57 L. Ed. 1511; *Colorado* v. *U. S.*, 271 U. S. 153, 70 L. Ed. 878 (1925), *So. Rwy. Co.* v. *U. S.*, 222 U. S. 20, 56 L. Ed. 72 (1912).

[10] *Fisher Blend Stations* v. *Tax Commission of State of Washington*, 297 U. S. 650, 80 L. Ed. 956 (1936); *Cooney* v. *Mountain States T&T Co.*, 294 U. S. 384, 79 L. Ed. 934 (1935).

[11] *Fisher Blend Stations* v. *Tax Commission State of Washington*, 297 U. S. 650, 80 L. Ed. 956 (1936); *Station WBT, Inc.* v. *Poulnot*, 46 F. (2nd) 671; *Whitehurst* v. *Grimes*, 21 F. (2nd) 787.

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guished from the production of the sounds broadcasted, is effected by appellant and not by his customers.

"The sounds broadcasted are not transmitted from the microphone to the ears of the listeners in other states. They do not pass as sound waves to the receiving mechanism. They serve only to enable the broadcaster, by the use of appropriate apparatus, to modulate the radio emanations which he generates. These emanations are modulated, are projected through space to the receiving set."

The United States Supreme Court then held the business of radio broadcasting to be interstate commerce. To declare the gross receipts tax unconstitutional, it was not necessary for the Court to find that any activities of a station were intrastate. *So long as some activities are interstate and commerce, an indiscriminate tax on the entire gross receipts is invalid.* Mr. Justice Stone, in the *Fisher Blend* case, further said:

> "It is enough that the present is not such a tax, but is levied on gross receipts from the appellant's entire operations, which include interstate commerce. As it does not appear that any of the tax income is allocable to intrastate commerce, the tax as a whole must fail."

In *Leloup* v. *Port of Mobile*, 127 U. S. 640, the Court, in construing a general license tax on the business of the local office of a telegraph company doing interstate business, said:

> "We fail to see how a state can tax a business occupation when it cannot tax the business itself. Of course the exaction of a license tax as a condition of doing any particular business is a tax on the occupation; and a tax on the occupation of doing business is surely a tax on the business itself."

In the case of *City of Atlanta* v. *Southern Broadcasting Co.*, 190 S. E. 594 (Ga. 1937), the complainant, operator of a radio broadcasting station, petitioned to enjoin the municipality from selling its personal property which had been taken pursuant to an ordinance levying an occupational tax of three hundred dollars a year on radio broadcasting stations. The complainant had failed to make a quarterly payment. On appeal from a permanent injunction, the municipality sought to distinguish intrastate from interstate business, contending that an occupational tax on the former would be valid. But the Court relying on the analysis of the phenomena[12] of radio broadcasting made in the *United States* v. *American Bond and Mortgage Co., supra*, concluded that, by their very nature, interstate and intrastate transmission of radio waves admit of no distinction, and that whether the programs originate locally or in other states, the crossing of state lines by radio communications clash with, interrupt and distort the waves coming from out-of-the-state stations. The waves so dispatched into and across the state must be given a right of passage without interference from local stations.

The real basis for the non-allowance of state excise taxation of radio broadcasting is revealed by the question raised where the emissions of the station sought to be taxed lose their commercial receptivity before crossing the state line. It is held that such a broadcast station is engaged in interstate commerce because it does not interfere or may potentially interfere with radio communications passing interstate. Such a station must have a license from the Federal Communications Commission (see *U. S.* v. *Gregg*, 5 F. supp. 848, cited supra). A state is even excluded from regulations of a station whose power is so limited.

(3)

The License Provision of the New Mexico Tax Act Is an Invalid Burdening of Interstate Commerce

Since a tax is more than a mere exaction, in that it is a regulation, any effort by a state to impose a license tax upon a radio broadcast station is a regulation of interstate commerce. It was so correctly held in *Whitehurst* v. *Grimes*, 21 F. (2nd) 787 wherein the Court stated:

> "The plaintiff is an amateur radio operator. He lives and operates an amateur radio station located in the city of Wilmore, a municipality of this state located in this district. This he has done since October, 1924. He has a license so to do from the United States. It was granted October 19th, 1925, for two years by the Secretary of Commerce, under the Act of August 13, 1912 (47 U. S. C. A. Sections 51-60; Comp. St. Sections 10100-10109), and was extended March 15, 1927, by the Federal Radio Commission, appointed under the Act of February 23, 1927 (47 U. S. C. A. Sections 81-120), by General Order No. 1, until further orders therefrom. The designation of his station is 9 ALM.
>
> "On October 1, 1926, the defendant by its board of council passed an *ordinance requiring all persons, firms, and corporations operating a radio broadcasting station, either commercial or amateur, to pay a license tax therefor and providing a penalty for failure to do so. The tax provided is not on the property of the radio operator, but on the business of radio broadcasting. Radio communications are all interstate. This is so, though they may be intended only for intrastate transmission; and interstate transmission of such communications may be seriously affected by communications intended only for intrastate transmission.* Such communications admit of and require a uniform system of regulation and control throughout the United States, and Congress has covered the field by appropriate legislation. It follows that the ordinance is void, as a regulation of interstate commerce." (Italic supplied.)

In the case of *Radio Station WBT* v. *Poulnot* (46 Fed. 2nd 691), the State of South Carolina attempted to impose a license tax upon the use of radio receiving sets. The act also provided that any person who fails or refuses to make the return or pay the tax is subject to a penalty of fifty dollars. The taxes imposed are made a lein on every receiving set and the Commission is authorized to issue execution, under which the set may be levied upon and sold in the manner provided for delinquent taxes.

Plaintiff, a radio broadcasting station brought suit to enjoin the defendants from enforcing collection of the taxes. A question arose as to whether the plaintiff had any standing to attack the constitutionality of the act in question. The court disposed of this question as follows:

> "* * * No tax is laid upon the plaintiff or upon its business or any property owned by it. The tax is laid upon receiving sets owned by the various persons who compose a part of plaintiff's audience, and who may be in a sense styled the plaintiff's customers. It is true that the constitutionality of an act cannot be assailed by one who is not directly affected by the act; and, as a general rule, no person in any business has such an interest in possible customers as to enable him to restrain the exercise of proper power of the state upon the ground that he will be deprived of patronage. But there are numerous decisions of the Supreme Court which lead, in our opinion, inevitably to the conclusion that the plaintiff may maintain its action if the tax in question is found to be unconstitutional." (citing cases)

THE COURT WENT ON TO SAY:

> "We have been unable to distinguish the case at bar in principle from the cases cited. Here the plaintiff was engaged in interstate commerce. The value of its business is impaired, and if the amount of the tax should be increased, may be destroyed, by unlawful exactions made upon the owners of radio receiving sets. The power to tax is the power to destroy. If the state can lay a small tax, it can lay a tax which would be prohibitive. The direct and necessary result of the imposition of the tax in question is to impair the value of the plaintiff's business and a heavier tax might destroy it entirely. We are constrained to hold therefore that the plaintiff's property rights are directly affected by the tax in question, and it has a standing in a court of equity to protect its rights."

IN DISPOSING OF THE INTERSTATE COMMERCE FEATURES OF RADIO BROADCASTING THE COURT MADE THE FOLLOWING COMMENT:

> "The plaintiff contends that all radio communication is necessarily interstate, and in the present state of the

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[12] "A device in one state produces energy which reaches every part, however small, of the space affected by its power * * * but that result is the transmission of intelligence, ideas, and entertainment. It is intercourse, and intercourse is commerce."

art, this appears to be correct. However, it is not inconceivable that radio communication may in the future be so perfected that it may be confined strictly intrastate; but we do not consider it necessary to make any ruling upon that point now. Certainly under the facts of the present case, the plaintiff, through its broadcasting plant, is engaged in interstate commerce. The receiving sets in South Carolina are essential to the reception of the communications by the South Carolina audience. In other words, the receiving sets are absolutely essential instrumentalities of the interstate commerce in which the plaintiff is engaged.[15]

"The only question remaining is whether the state has the right to lay a tax upon these instruments of interstate commerce. Under the numerous decisions of the Supreme Court there can be only one answer. Those decisions hold that Congress has the power to regulate interstate commerce; that the power is necessarily exclusive whenever the subjects are national in their character or admit of only one uniform system or plan of regulation; and that where the power of Congress to regulate is exclusive, the failure to regulate indicates the will that it shall be left free from any restrictions or impositions; and any regulation of the subject by the state, except in matters of local concern, is repugnant to such freedom, and that no state can compel a party, individual, or corporation to pay for the privilege of engaging in interstate commerce, and that a state has no power to lay any burden in any form, by taxation or otherwise, upon interstate commerce, or its instrumentalities" (Citing cases).

"The tax in question cannot be sustained under those cases which hold that the state has a right to impose an *ordinary* property tax upon property having a situs within its territory and employed in interstate commerce; for here the tax is not a general property tax, but a license tax for the privilege of using an instrument of interstate commerce. *Nor can it be sustained as a matter of local regulation, for the subject is national, and admits only of one uniform system or plan of regulation. Nor can it be sustained as a police regulation with an incidental tax to pay the expenses of the regulation, for it has no elements of police, and, moreover, the tax is frankly devoted to the uses of a state institution. Nor can it be sustained as in aid of interstate commerce, nor on the ground that its effect is merely incidental.* The tax here is directly laid upon a necessary instrument of interstate commerce, imposes a burden upon that commerce, and the act of the Legislature imposing it is therefore in conflict with the Constitution of the United States, and null and void." (Italics supplied.)

Conclusion

The power to regulate radio broadcasting and its incidents is exclusively in the Congress. To allow any state excise taxation of radio broadcasting is to infringe upon that power.

Another basis for the rule against state taxation on the business of radio broadcasting is found in the necessity to protect the power of Congress to regulate that industry free from interference by state government.

It is not conceivable that any radio station, no matter where located within a state nor how low its power, can be brought within the accepted definition of intrastate commerce, due to its uncontrolled [13] and comparatively unknown characteristics.[14]

It seems unquestionable that emanations even from stations of limited power usually enter adjacent states. But assuming that the radio energy transmitted is so carefully confined that it does not filter through the boundaries of the State of broadcast, it does not follow that this intrastate zone is wholly free from Federal regulation. While the local broadcast may be intrastate, the waves of the station may nevertheless clash with, interrupt and distort the waves coming from out-of-state stations. The waves so dispatched into and across the State must be given a right of passage without interference from local stations.

Public interest, convenience and necessity [15] is the accepted and approved standards [16] by which all radio broadcasting must operate. Its history [17] teaches us that the fulfillment of this standard cannot be accomplished except by the application of the statement and principle enunciated by Mr. Chief Justice Hughes in the case of the *Federal Radio Commission* v. *Nelson Bros. Bond and Mortgage Co., supra,* that "no state lines divide the radio waves, and national regulation is not only appropriate but essential to the efficient use of broadcasting facilities."

It is axiomatic, therefore, that any regulation or any act by a state that places a burden upon interstate commerce, or that can have the effect of destroying such commerce is inconsistent with national regulation.

The act in question requires the payment of a 2% tax on the gross income of a business in interstate commerce. Such a tax does not take into account items of expenditure. A broadcasting station may operate upon a small margin of profit. It is entirely possible and plausible that a tax of 2% on the gross receipts of a business may and could mean in fact a tax of 10% of its net profits, or 50% of its net profits, or all of its net profits and yes, even making the business indebted to the state. To carry this proposition to its logical conclusion, since the act provides for summary proceedings against the property of the tax payer, it could mean the confiscation or abolition of a radio station licensed to do business by the Federal Government which is required to operate for and in the public interest, convenience and necessity.

If a tax of 2% upon the gross income of a particular radio station was found to be, after deducting its expenses, and overhead, etc., a fair sum of its net income, and for that reason not confiscatory, and therefore a proper tax and as a result not a burden upon interstate commerce, what then would prevent the state from making such a tax 20% or more of the station's gross income which, after deducting necessary expenses, would, in fact, be confiscatory.

Practically the same may be said of the license tax feature of the act. If today it is one dollar and such a tax be upheld, what then is there to prevent the state from increasing the amount to one thousand dollars, and so on?

Radio broadcasting operating under a proper sphere of regulations is and can continue to be, a bulwark to our economic, political and social life. The courts should not allow to creep into its life, regulations and taxes by the several states, which in their operation regulate or tend to regulate, or which destroy, or which could destroy, its efficient and orderly existence.

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[15] See *U. S.* v. *American Bond & Mtg. Co.*, cited page 8 hereof: "The transmission is brought about by concert of action on the part of broadcaster and receiver."

[13] *Radio Station WBT* v. *Poulnot*, 46 Fed. (2nd) 671.

[14] *City of Atlanta* v. *Southern Broadcasting Co.*, 184 Ga. 9, 190 S. E. 594 (1934).

[15] Sections 303, 307, 309 Communications Act (1934).

[16] *Fed. Radio Commission* v. *Nelson Bros. Bond & Mortgage Co.*, 289 U. S. 266, 77 L. Ed. 1166.

[17] Page 3 hereof.

Federal Communications Commission Docket

HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, November 19. It is subject to change.

Monday, November 19

Further Consolidated Hearing

NEW—The Finger Lakes Broadcasting System (Gordon P. Brown, owner), Geneva, N. Y.—C. P., **1240 kc.**, 250 watts, unlimited (requests facilities of WSAY when vacated).

NEW—WARC, Inc., Rochester, N. Y.—C. P., **1240 kc.**, 250 watts, unlimited (requests facilities of WSAY when vacated).

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NEW—Rochester Broadcasting Corporation, Rochester, N. Y. —C. P., **1240 kc.,** 250 watts, unlimited (requests facilities of WSAY when vacated).

NEW—Seneca Broadcasting Corporation, Rochester, N. Y.—C. P., **1240 kc.,** 250 watts, unlimited.

Star Broadcasting Company, Inc., Geneva, N. Y.—C. P.

Federal Communications Commission Action

APPLICATIONS GRANTED

Central Broadcasting Co., Inc., Johnstown, Pa.—Granted construction permit for new station to operate on **1490 kc.,** 250 watts, unlimited time. Transmitter site to be determined.

Airplane & Marine Instruments, Inc., Clearfield, Pa.—Granted construction permit for a new station to operate on **1490 kc.,** 250 watts, unlimited time. Transmitter site to be determined.

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted construction permit to move auxiliary transmitter from West 39th Street, Oklahoma City, to 1¼ miles east of Britton and approximately 6 miles north of center of Oklahoma City (present site of main transmitter) and operate with power of 1 KW., employing DA-night.

KSUI—The State University of Iowa, Iowa City, Iowa—Granted modification of construction permit which authorized a new non-commercial educational broadcast station, for extension of completion date only from 1-16-46 to 7-16-46. (The construction permit is granted subject to changes in frequency assignments which may result from proceedings in Docket 6651.)

WNLC—The Thames Broadcasting Corp., New London, Conn.—Granted petition for dismissal without prejudice of application for construction permit to install synchronous amplifier at 17 Broadway, Norwich, Conn.

KHQ-KGA—Louis Wasmer, Inc., Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses of stations KHQ and KGA, and continued hearing now scheduled for November 21 to December 21, 1945.

Voice of Marion, Marion, Ind.—Ordered continuance of hearing on application for construction permit now scheduled for November 19, be continued to December 19, 1945.

LICENSE RENEWALS

WING—Great Trails Broadcasting Corp., Dayton, Ohio—Present license further extended on a temporary basis only, for the period ending January 15, 1946, pending determination upon application for renewal.

WKEY—Earl M. Key, Covington, Va.—Granted renewal of license for the period ending February 1, 1947.

KGIW—E. L. Allen, Alamosa, Colo.—Granted renewal of license for the period ending February 1, 1948.

WLIB—WLIB, Inc., Brooklyn, N. Y.—Granted renewal of license for main and auxiliary transmitters, for the period ending May 1, 1948.

KIUN—Jack W. Hawkins & Barney H. Hubbs, Pecos, Texas —Granted renewal of license for the period ending August 1, 1947.

FINAL ORDERS

The federal Communications Commission announced adoption of an Order making final its proposed decision in the matter of the application of Georgia School of Technology for renewal of license of Station WGST, Atlanta, Ga. (B-221)

The Commission denied the application, without prejudice to the submission before December 18, 1945, by the Georgia School of Technology, of a new application for a construction permit and license to operate on the same frequency, provided it is affirmatively shown that no further effect is given to the agreements between the Georgia School of Technology and Southern Broadcatsing Stations, Inc., which the Commission has found in Docket 5903 and in this proceeding to be contrary to the Communications Act and incompatible with the operation of the station in the public interest.

The Commission further ordered that Georgia School of Technology be granted a temporary license to operate Station WGST for a period ending December 18, 1945.

The Commission also announced adoption of an Order making the proposed decision of the Commission (B-218) dated September 25, 1945, as the Findings of Fact and Conclusions of the Commission in the matter of the application for renewal of license of Sioux Falls Broadcast Association, Inc. (KSOO), Sioux Falls, South Dakota.

The Commission denied the renewal of license for station KSOO, but will permit the licensee to operate stations KSOO and KELO under a temporary authorization for the period ending March 25, 1946.

The Federal Communications Commission announced adoption of a proposed decision (B-225), in the matter of renewal of licenses for stations KGKO (KGKO Broadcasting Co.) and WBAP (Carter Publications, Inc.), at Fort Worth, and WFAA (A. H. Belo Corp.), Dallas Texas. The proceedings herein involve the question of multiple ownership under Section 3.35 of the Commission's Rules.

The Commission proposes to extend the licenses of Stations KGKO, WFAA and WBAP for a period of 6 months from this date, until May 14, 1946. If by that date the applicants have not arranged for separation of KGKO from WFAA-WBAP and applied to the Commission for consent to whatever assignment of control is necessary, a denial of the applications for renewal of licenses for these stations will be entered without further delay.

ORDER TO SHOW CAUSE

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November, 1945:

The Commission having before it the application of Austin Broadcasting Company, for construction permit (File No. B3-P-4192) to erect a new standard broadcast station at Austin, Texas, for the use of the frequency **1300 kc.,** with 1 KW. power, unlimited time, D. A. at night:

It appearing, that on October 24, 1945, the Commission granted the application of Raoul Cortez, San Antonio, Texas, for a construction permit to erect a new standard broadcast station at that place, to operate on the frequency **1300 kc.,** with 1 KW. power, daytime only (File No. B3-P-3743); and

It further appearing, that the use of the frequency **1300 kc.,** unlimited time, at Austin, Texas, may result in the addition of a new primary broadcast service day and night to a substantial population and area in and around Austin, Texas, which may constitute a more efficient use of that frequency than would be the use of that frequency daytime only at San Antonio, Texas; that said frequency **1300 kc.,** can be used unlimited time at Austin, Texas, with a power output of 1 KW. without resulting in objectionable interference to any existing station, provided the proposed station of Raoul Cortez at San Antonio, Texas, is shifted from the frequency **1300** to **1350 kc.;** that the frequency **1350 kc.** may be used at San Antonio, Texas, daytime only, without resulting in objectionable interference to any existing station; and that public interest, convenience and necessity may be served by assigning the frequency **1300 kc.** to Austin Broadcasting Company at Austin, Texas, and the frequency **1350 kc.** to Raoul Cortez at San Antonio, Texas.

Now, therefore, it is ordered, that opportunity be, and it is hereby, afforded Raoul Cortez, permittee, San Antonio, Texas, to show cause at a hearing before the Commission, commencing at 10 o'clock A. M., on Monday, the 17th day of December 1945, why the construction permit issued to Raoul Cortez, San Antonio, Texas, should not be modified so as to specify the use by him of the frequency **1350 kc.** in lieu of the frequency **1300 kc.**

It is further ordered, that the hearing in the above-entitled matter be, and it is hereby, consolidated with the

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hearing this day ordered upon the application of Austin Broadcasting Company, Austin, Texas, for construction permit (File No. B3-P-4192, Docket No. 6985).

DESIGNATED FOR HEARING

WJOL—WCLS, Inc., Joliet, Ill.—Designated for hearing application for renewal of license.

Austin Broadcasting Co., Austin, Texas—Designated for hearing application for construction permit (B3-P-4192) for a new station to operate on **1300 kc.**, 1 KW, unlimited time, DA-night, to be consolidated with Docket 6984.

MISCELLANEOUS

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Granted motion for leave to amend its application for construction permit (Docket 5859); accepted the amendment, ordered the record reopened, and without further hearing the amendment is made a part of the record.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Granted petition for leave to amend its application (B4-P-4089) for construction permit, and the amendment filed with the motion was accepted.

Mack Radio Sales Co., Camden, N. J.—Granted in part petition to intervene in the proceedings involving Commission's Proposed Decision in the matter of stations WCAM, WCAP and WTNJ, for the purpose of filing exceptions and request for oral argument and the time within which such exceptions and request for oral argument may be filed, was extended to and including December 7, 1945.

WCAM—The City of Camden, Camden, N. J.—Granted motion for extension of time to December 7, 1945, within which WCAM may file exceptions to the Commission's Proposed Decision in re WCAM, WCAP and WTNJ.

WTNJ—WOAX, Inc., Trenton, N. J.—Granted motion for extension of time to December 7, 1945, within which WCAM may file exceptions to the Commission's Proposed Decision in re WCAM, WCAP and WTNJ.

Churchill Tabernacle, Buffalo, N. Y.—Granted petition for extension of time within which to file its brief in re application for renewal of licenses of stations WKBW and WGR, and the time was extended to and including November 15, 1945.

The Chesapeake Radio Corp., Annapolis, Md.—Granted petition for leave to amend its application for new station, so as to change hours of operation requested from unlimited to daytime only, on **1440 kc.**, 250 watts, and to remove said application as amended from the hearing docket.

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Granted petition for extension of time within which WORL may file its exceptions and memorandum brief in opposition to Commission's Proposed Decision, and the time was extended to and including Nov. 27, 1945.

WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Adopted order denying petition for severance of its applications for renewal and modification of license from the consolidated proceeding heretofore held on its applications and those of WTNJ, Trenton, and WCAM, Camden, N. J.

WMFM—The Journal Co. (The Milwaukee Journal), Richfield, Wisc.—Granted request for change in call letters of FM station from WMFM to WTMJ-FM.

KEEW—KEEW, Ltd., Brownsville, Texas—Granted authority to change call letters from KEEW to KVAL.

A. G. Beaman and T. B. Baker, Jr., d/b as Capitol Broadcasting Co., Nashville, Tenn.—Denied motion for severance of its application for construction permit (Docket No. 6669) and that of Nashville Radio Corp. (Docket No. 6108) from the consolidated hearing heretofore ordered on these applications with the three Nashville applications for construction permits (Docket Nos. 6648, 6649 and 6193), and one Murfreesboro application for construction permit.

WDSU—E. A. Stephens, Fred Weber & H. G. Wall, d/b as Stephens Broadcasting Co., New Orleans, La.—Adopted order denying petition requesting that the Commission withdraw its Opinion and Order of September 4, 1945, in the matter of the hearing to determine whether the licensees of Station WDSU have violated Sec. 315 of the Communications Act. (Docket 6740, B-212).

APPLICATIONS FILED AT FCC

570 Kilocycles

WWNC—Asheville Citizens Times Co., Inc., Asheville, N. Car.—Modification of construction permit (B3-P-2644 which authorized increase in power from 1 KW to 5 KW, installation of new transmitter and directional antenna for night use and change transmitter location) for approval of the directional antenna system for night use.

790 Kilocycles

WKPT—Kingsport Broadcasting Co., Inc., Kingsport, Tenn.—Construction permit to change frequency from **1400** to **790 kc.**, increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use and change transmitter location; Amended re antenna changes and change in transmitter location.

880 Kilocycles

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Construction permit to change frequency from **1320** to **880 kc.**, increase power from 5 KW to 10 KW, install new transmitter and directional antenna for day and night use; Amended to change requested power from 10 KW to 50 KW, change type of transmitter, changes in directional antenna for day and night use and change transmitter location.

900 Kilocycles

KLCN—Harold L. Sudbury, Blytheville, Ark.—Authority to determine operating power by direct measurement of antenna power.

1010 Kilocycles

WINS—Hearst Radio, Inc., New York, N. Y.—Modification of construction permit (B1-P-3026 as modified which authorized increase in power, installation of new transmitter and directional antenna) for extension of date of completion from 11-30-45 to 2-28-46.

1030 Kilocycles

KWBU—The Century Broadcasting Co., Corpus Christi, Texas.—Special service authorization to operate on **1030 kc.**, power of 50 KW, using non-directional antenna during the hours from local sunrise at Boston, Mass., to local sunset at Corpus Christi, Tex., for a period not to exceed six months.

1080 Kilocycles

WINN—Kentucky Broadcasting Corp., Inc., Louisville, Ky.—Construction permit to change frequency from **1240 kc.** to **1080 kc.**, power from 250 watts to 1 KW, night, and 5 KW, daytime; install new transmitter and directional antenna for day and night use and change transmitter location.

1100 Kilocycles

NEW—The Bethlehem's Globe Publishing Company, Bethlehem, Pa. (P. O. 202 West 4th St.)—Construction permit for a new standard broadcast station to be operated on **1100 kc.**, power of 250 watts and daytime hours of operation.

1260 Kilocycles

KPOW—Albert Joseph Meyer, Powell, Wyo.—Construction permit to change frequency from **1230 kc.** to **1260 kc.**,

(Continued on next page)

increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use and change transmitter and studio location.

1290 Kilocycles

NEW—Edward J. Altorfer, John M. Camp, John H. Altorfer, Katherine A. Swain & Timothy W. Swain d/b as Illinois Valley Broadcasting Co., Peoria, Ill.—Construction permit for a new standard broadcast station to be operated on **1290 kc.**, power of 1 KW and unlimited hours of operation. Amended: re change type of transmitter.

1450 Kilocycles

WDAD—Indiana Broadcast, Inc., Indiana, Penna.—License to cover construction permit (B2-P-3864 as modified) which authorized a new standard broadcast station and change studio location.

WDAD—Indiana Broadcast, Inc., Indiana, Penna.—Authority to determine operating power by direct measurement of antenna power.

1560 Kilocycles

NEW—The Times Picayune Publishing Co., New Orleans, La. (P. O. 601 North St.)—Construction permit for a new standard broadcast station to be operated on **1560 kc.**, power of 500 watts night and 1 KW. daytime and unlimited hours of operation.

1570 Kilocycles

NEW—Kenneth G. Zweifel, Freeport, Ill.—Construction permit for a new standard broadcast station to be operated on **1570 kc.**, power of 1 KW. and daytime hours of operation.

1580 Kilocycles

NEW—Fred Weber, E. A. Stephens & William H. Talbot d/b as Texas Broadcasters, Houston, Texas—Construction permit for a new standard broadcast station to be operated on **1580 kc.**, power of 500 watts night and 1 KW. daytime and unlimited hours of operation. Amended: re changes in transmitting equipment and transmitter location.

1600 Kilocycles

WKWF—John M. Spottswood, Key West, Fla.—License to cover construction permit (B3-P-3768) which authorized a new standard broadcast station.

WKWF—John M. Spottswood, Key West, Fla.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—George A. Mayoral, William Cortada and Ramon Cortada, New Orleans, La.—Construction permit for a new FM broadcast station to be operated on **47.1 mc.** and coverage of 8,000 square miles. Amended: to change name of applicant to Supreme Broadcasting System, Inc., change frequency to Channel #55 (**98.9 mc.**) change type of transmitter and transmitter location.

NEW—Chicago Federation of Labor, Chicago, Ill.—Construction permit for a new FM broadcast station to be operated on **47.9 mc.** with coverage of 10,800 square miles. Amended: to change type of transmitter, change antenna system and transmitter location.

NEW—O. E. Richardson, Fred L. Adair, Frobert C. Adair d/b as Radio Station WJOB, Hammond, Ind.—Construction permit for a new FM broadcast station to be operated on **49.9 mc.** with coverage of 2.241 square miles. Amended: to change frequency and coverage to be determined, change type of transmitter and antenna system and change transmitter and studio locations to Chicago, Ill.

NEW—Midwest F.M. Network, Inc., Peoria, Ill.—Construction permit for a new FM broadcast station to be operated on **45.9 mc.** with coverage of 7,600 square miles. Amended: to change frequency to **98.9 mc.**, coverage to be determined, change transmitter location and antenna.

NEW—Midwest F.M. Network, Inc., Fort Wayne, Ind.—Construction permit for a new FM broadcast station to be operated on **45.9 mc.** with coverage of 7,850 square miles. Amended: to change frequency to **98.9 mc.**, change coverage to be determined, change transmitter location and antenna changes.

NEW—Mississippi Valley Broadcasting Co., East St. Louis, Ill.—Construction permit for a new FM broadcast station to be operated on **47.1 mc.**, with coverage of 10,737 square miles. Amended: to change name of applicant to Myles H. Johns, Penrose H. Johns, Wm. F. Johns and Wm. F. Johns, Jr., d/b as Mississippi Valley Broadcasting Co.

NEW—The Monumental Radio Co., Baltimore, Md.—Construction permit for a new FM broadcast station to be operated on **47.9 mc.** with coverage of 4,520 square miles. Amended: to change frequency to Channel #79 (**103.7 mc.**).

NEW—Fidelity Media Broadcasting Corp., Newark, N. J.—Construction permit for a new FM broadcast station to be operated on **49.1 mc.** with coverage of 5,100 square miles. Amended: to change frequency to **98 mc.**, change transmitter location, type of transmitter and antenna.

NEW—Columbia Broadcasting System, Inc., Boston, Mass.—Construction permit for a new FM broadcast station to be operated on **43.5 mc.**, coverage of 20,200 square miles. Amended: re change in transmitter location and antenna.

NEW—National Broadcasting Co., Inc., Washington, D. C.—Construction permit for a new FM broadcast station to be operated on Channel #55 (**98.9 mc.**). Amended: to specify coverage as 13,336 square miles, change transmitter location and antenna.

NEW—The Radio Voice of New Hampshire, Inc., Manchester, N. H.—Construction permit for a new FM broadcast station to be operated on **43.5 mc.** with coverage of 31,630 square miles. Amended: to change frequency to be determined, change type of transmitter, antenna system and transmitter location.

NEW—E. Anthony & Sons, Inc., Boston, Mass.—Construction permit for a new FM broadcast station to be operated on **43.3 mc.** with coverage of 19,650 square miles. Amended: to change frequency to **98 mc.**, coverage to 5,090 square miles, change type of transmitter, antenna and transmitter location.

NEW—Syndicate Theatres, Inc., Columbus, Ind. (P. O. 57½ N. Main St., Franklin, Ind.)—Construction permit for a new FM Broadcast station.

NEW—Unity Broadcasting Corp. of Massachusetts, Boston, Mass. (P. O. 25 La Grange Square)—Construction permit for a new FM broadcast station.

NEW—Templetone Radio Mfg. Corp., Boston, Mass. (P. O. 100 Garfield Ave., New London, Conn.)—Construction permit for a new FM broadcast station.

NEW—Merrimac Broadcasting Co., Inc., Lowell, Mass. (P. O. 39 Kearney Square)—Construction permit for a new FM broadcast station.

NEW—Mitchell G. Meyers, Reuben E. Aronheim and Milton H. Meyers, Fitchburg, Mass.—Construction permit for a new FM broadcast station to be operated on Channel #73 (**102.5 mc.**) with coverage of 12,420 square miles. Amended: to change frequency to Channel #62 (**100.3 mc.**).

NEW—Massachusetts Broadcasting Co., Boston, Mass. (P. O. Copley Plaza Hotel)—Construction permit for a new FM broadcast station to be operated on Channel #19, (**91.7 mc.**).

NEW—North Shore Broadcasting Co., Salem, Mass. (P. O. 126 Washington St.)—Construction permit for a new FM broadcast station.

NEW—The Danbury News-Times Co., Danbury, Conn. (P. O. 288 Main St.)—Construction permit for a new FM broadcast station.

NEW—The KCKN Broadcasting Co., Kansas City, Mo. (P. O. 901 North Eight St., Kansas City, Kansas)—

(Continued on next page)

Construction permit for a new FM broadcast station to be operated on **94.5 mc.** with coverage of 11,436 square miles.

NEW—Record-Herald Company, Wausau, Wisc.—Construction permit for a new FM broadcast station to be operated on **46.5 mc.** Amended: to change frequency to be determined, to specify coverage as 12,100 square miles, change type of transmitter and antenna, changes in corporate structure and change transmitter location.

NEW—WSAV, Inc., Savannah, Ga. (P. O. Liberty National Bank Bldg.)—Construction permit for a new FM broadcast station to be operated on Channel #60 (**99.9 mc.**) with coverage of 5,640 square miles.

NEW—McClatchy Broadcasting Co., Modesto, Calif.—Construction permit for a new FM broadcast station to be operated on Channel #61 (**100.1 mc.**) with coverage of 4,583 square miles.

NEW—Oregonian Publishing Co., Portland, Ore.—Construction permit for a new FM broadcast station to be operated on **46.1 mc.** with coverage of 13,382 square miles. Amended: to change frequency to Channel #55 (**98.9 mc.**).

NEW—Amphlett Printing Co., San Mateo, Calif.—Construction permit for a new FM broadcast station to be operated with coverage of 850 square miles.

NEW—The Northern Corporation, Boston, Mass. (P. O. 70 Brookline Ave.)—Construction permit for a new FM broadcast station.

NEW—James F. Hopkins, Inc., Detroit, Mich.—Construction permit for a new FM broadcast station to be operated on **46.5 mc.** with coverage of 6,790 square miles. Amended: to change frequency to be determined, coverage to be determined, change type of transmitter and antenna.

NEW—United Broadcasting Co., Columbus, Ohio—Construction permit for a new FM broadcast station to be operated on **48.1 mc.** with coverage of 12,400 square miles. Amended: re corporate structure and antenna changes.

NEW—Macon Telegraph Publishing Co., Macon, Ga.—Construction permit for a new FM broadcast station to be operated on **46.7 mc.** with coverage of 12,000 square miles. Amended: to change type of transmitter, changes in antenna system and change transmitter location.

NEW—Radio Projects, Inc., Syracuse, N. Y. (P. O. Room 2201, 233 Broadway, New York, N. Y.)—Construction permit for a new FM broadcast station.

NEW—Radio Projects, Inc., Newark, N. J. (P. O. Room 2201, 233 Broadway, New York, N. Y.)—Construction permit for a new FM broadcast station.

NEW—Cherry & Webb Broadcasting Co., Providence, R. I. —Construction permit for a new FM broadcast station to be operated on **47.5 mc.**, coverage of 6,207 square miles. Amended: to change frequency to be assigned, change coverage to 7,480 square miles, changes in antenna system and transmitter location.

MISCELLANEOUS APPLICATION

KCHD—KMMJ, Inc., Grand Island, Nebr.—License to cover construction permit (B4-PRE-445) which authorized a new relay broadcast station.

Federal Trade Commission Docket

No complaints, stipulations, nor cease and desist orders were issued this week by the Trade Commission.

FTC COMPLAINTS DISMISSED

The Federal Trade Commission has dismissed its complaint charging Dorene Publishing Co., Inc., 1472 Broadway, New York, and its president, Joseph Kay, with misrepresentation in connection with the sale of books and charms. The complaint was dismissed without prejudice to the right of the Commission to institute further proceedings should the facts so warrant.

The Commission ordered that the case growing out of the complaint against William H. Wise & Co., 48 West 47th St., New York, and its president, John J. Crawley, be closed without prejudice to the right of the Commission to reopen it and resume trial thereof. The respondents had been charged with misrepresentation in the sale of history books.

The case was closed because the respondents have signified their intention, in writing, to be bound by the trade practice conference rules promulgated for the subscription book industry and have furnished satisfactory evidence of such intention.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 47, November 23, 1945

COMMISSION ACTS IN RESPONSE TO NAB PETITION

In response to a petition filed on Nov. 5 by the FM Department of the National Association of Broadcasters, asking for changes in the numbering of FM Channels "in order that FM broadcasting may develop in a more orderly manner and with the least confusion to the public," the Federal Communications Commission has issued the following statement:

"As a result of a conference with representatives of the National Association of Broadcasters, the Federal Communications Commission today adopted a new system of numbering FM channels. Under this system, the first channel frequency (88.1 megacycles) will be numbered 201; the second frequency (88.3 megacycles) will be numbered 202; and so on up to and including channel number 300 (107.9 megacycles).

"This will give all FM stations in the 88-108 megacycle band and in probable extensions thereof channel numbers with three digits.

"Inasmuch as FM receiver production is just starting and in order to provide for possible expansion of the FM band in the future without disturbing channel numbering of stations in the 88-108 megacycle band, it appears desirable to revise the channel numbering plan at this time to provide for such expansion."

Robert T. Bartley, director of NAB's FM Department expressed deep satisfaction with "the cooperative and efficient manner in which the commission has moved with us to bring FM quickly into the homes of the people. Manufacturers can now proceed in equipping sets with a simplified dial which listeners may easily tune and there need be no fear of later changes that would cause confusion. Through this system the dial designations may be extended with ease in either direction to correspond with any future widening of the band at either end. This is a real service performed in the interest of the listening public."

MOST MANUFACTURERS APPROVE FM BAND RENUMBERING

Several telegrams have been received by Robert T. Bartley, director of the FM Department, in response to a poll to determine the reaction of manufacturers to the recent favorable action by the FCC on NAB's petition to renumber the FM-Band.

Additional replies are expected. The following telegrams, favorable with one exception, have been received as REPORTS goes to press:

RETEL WE INTEND TO NUMBER FM DIALS BY CHANNELS.

R. A. Graver, Admiral Corp., Chicago, Ill.

DIALS ON ALL NEW ANSLEY SETS WILL CARRY THE NEW CHANNEL NUMBERS FOR FM WE ARE GLAD THAT THIS SYSTEM HAS BEEN ADOPTED AT THIS EARLY STAGE OF FM'S DEVELOPMENT AND FEEL THAT IT WILL BE A REAL HELP IN PROMOTING PUBLIC ACCEPTANCE OF THE NEW SERVICE.

Arthur C. Ansley, Ansley Radio Corp., Trenton, N. J.

RETEL FARNSWORTH IS ALREADY ON RECORD WITH RMA SET DIVISION AS FAVORING THE ADOPTION OF CHANNEL NUMBERS INSTEAD OF MEGACYCLE MARKINGS ON FM BANDS.

E. A. Nicholas, Farnsworth Television
& Radio Corp., Ft. Wayne, Ind.

WE WILL USE THE FEDERAL COMMUNICATION COMMISSION'S NEW PLAN FOR NUMBERING FM CHANNELS.

Arthur Fred, Fred Radio Corp., New York, N. Y.

REURTEL EXPECT TO NUMBER FM DIALS ONE TO ONE HUNDRED IN ACCORDANCE WITH PROPOSED RMA STANDARD NO OBJECTIONS TO USING FCC PROPOSAL INSTEAD, IF GENERALLY ACCEPTED.

Victor Brociner, Philharmonic Radio Corp.,
New York, N. Y.

ANSWERING TELEGRAM 20TH APPROVE AND WILL USE ON OUR NEW RECEIVERS. THE FM CHANNEL NUMBERING ADOPTED BY FCC STARTING WITH 201 FOR 88.1 MEGACYCLES.

Ray M. Ray, Manson Stromberg Carlson Co.,
Rochester, N. Y.

WILL GO ALONG WITH CHANNEL NUMBERING IN PREFERENCE TO FREQUENCY NUMBERS.

Meissner Radio Corp.

RETEL AGREE THAT NUMBERS SHOULD BE USED FOR BANDS INSTEAD OF MEGACYCLE DESIGNATIONS. HAD IN MIND THE USE OF NUMBERS 1 TO 100 SO DO NOT UNDERSTAND YOUR REFERENCE TO 201, ETC.

A. S. Wells, Wells Gardner and Co., Chicago, Ill.

RETEL FUTURE FM DIAL NUMBERING, WE PREFER DIRECT FREQUENCY MARKINGS ON DIAL SCALE AS USED FOR YEARS ON BROADCAST AND SHORT WAVE BANDS.

E. L. Hall, Pilot Radio Corp., New York, N. Y.

LEA BILL WOULD PREVENT COERCIVE CONTROL OF BROADCASTING

Hon. Clarence F. Lea, Chairman of the Interstate and Foreign Commerce Committee of the House, filed a Bill (HR-4737) on Monday (19) "to prevent control of broadcasting by coercive practices." The Bill broadly covers the points which J. Harold Ryan, former NAB president, elaborated upon in his testimony before the Interstate and Foreign Commerce Committee of the House of Representatives on Tuesday, May 11, 1945. (See special A F of M bulletin, Vol. 13, No. 4.)

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NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Director of Public Relations;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

Mr. Lea said "the Bill proposes the addition of three new sections to the penal provisions of the Federal Communications Act. These provisions would penalize certain coercive practices which compel the hiring of a greater number of employees than wanted by a broadcaster or the exaction of a tribute against the broadcaster for the use of certain materials, including transcriptions or chemical or electrical reproductions, and the use of such coercive methods to prevent non-compensated members from participating in a non-commercial educational or cultural program.

He pointed out that "the violation of the proposed act would be punishable by imprisonment of not more than two years, or by the payment of a fine of $5,000 or both. This measure originates because of certain demands upon broadcasters made by Mr. James C. Petrillo as head of the American Federation of Musicians.

"These and like demands made by Petrillo in behalf of the Association of Musicians are not within the legitimate rights of any organization. Carrying as they do threats of reprisals if not complied with, they are on the moral level of rackets and extortion. A self respecting government cannot afford to permit such practices to prevail. The objective of this legislation is to prevent them.

"Compliance of these demands for tribute without the performance of services has cost the broadcasters millions of dollars in the last few years. A demand is now pending which requires that where a station simultaneously broadcasts musical programs through two outlets it shall employ two sets of musicians for such simultaneous broadcast. In such cases the extra set of musicians would perform no useful service whatever to the broadcasting station."

On the same day that Lea's Bill was introduced, Rep. Dondero (Mich.) introduced a Bill (HR-4737) which would prohibit the coercion to prevent the participation of non-compensated employees, similar to the recommendations contained in Section 508 of the Lea Bill.

Full text of the Lea Bill, which was referred to the Committee on Interstate and Foreign Commerce, follows:

"A BILL

"To prevent control of broadcasting by coercive practices.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Communications Act of 1934, as amended, is amended by inserting after section 505, three new sections, as follows:

"COERCION TO COMPEL HIRING EMPLOYEES NOT WANTED BY EMPLOYER

"SEC. 506. That any person who willfully coerces, compels, or constrains, or who threatens to injure, an owner, operator, or other person having control of a broadcasting station, or a member of his family, his property, or his business; or otherwise attempts to coerce, compel, or constrain such owner, operator, or person in charge of such station, against his will, to pay or compensate or to employ, hire, contract for employment or hire, or to pay more than once for services performed, or otherwise to obligate himself for or on account of the employment or hiring or the purported employment or hiring of a person or persons, or to pay a sum of money or other thing of value in lieu of failure to employ a person or persons in excess of the number wanted by the employer for performance of such service; or to pay any money or other thing of value for services not to be performed; or to extort or to attempt to extort money or anything of value by any such means; in connection with radio broadcasting of sound or television, shall be guilty of a felony and, on conviction thereof, punishable by imprisonment of not more than two years or by a fine of not more than $5,000, or both.

"COERCION TO COMPEL PAYMENT OF TRIBUTE FOR USE OF BROADCASTING MATERIALS

"SEC. 507. That any person who willfully coerces, compels, or constrains, or who injures, or by threats, attempts to injure, an owner, operator, or other person having control of a broadcasting station, or member of his family, his property, or his business; or who induces, incites, or by threats attempts to induce or incite a boycott against a third person or organization; or otherwise attempts to coerce, compel, or constrain such owner, operator, or person in charge of such station, against his will, to pay tribute for the privilege of producing, preparing, manufacturing, selling, operating, using, or maintaining any material, machines, or equipment, used or intended to be used in radio broadcasting, or so used or intended to be used for recordings, transcriptions, or mechanical, chemical, or electrical reproductions in any form, which are so used, or intended to be so used, either directly or indirectly, in the operation of any radio broadcasting station, or in the production, preparation, performance, or presentation of any radio or television program; or otherwise coerces, compels, or constrains another person to impose any restrictions, or compel any tribute upon the lawful production, preparation, sale, manufacture, operation, use, or maintenance of material or equipment so used or intended to be used, against the owner, operator, or person in charge of a broadcasting station, or other person, to prevent the use thereof by a broadcasting station; or to pay tribute to any person or organization in recognition of a purported continuing financial interest in a broadcast for which payment has been made; shall be guilty of a felony and punishable by imprisonment for not more than two years, or by a fine of not more than $5,000, or both.

"COERCION TO PREVENT PARTICIPATION OF NONCOMPENSATED EMPLOYEES

"SEC. 508. That any person who willfully requires, coerces, compels, constrains, or threatens to require, coerce, compel, or constrain the operator, owner, or person having control of a broadcast station, against his will, from broadcasting or permitting the broadcasting over such station of a noncommercial educational or cultural program, for which the participants in such program receive no money or other article or thing of value for such service other than their actual necessary expenses, and where the owner, operator, or person having control of such station neither pays, gives, nor receives any money, article, or other thing of value on account of such broadcast, shall be guilty of a felony and, on conviction thereof, punishable by a fine of not more than $5,000, or imprisonment for not more than two years, or both."

PETRILLO EDICT AFFECTS EDUCATIONAL FM

Carl George, assistant manager of WGAR, Cleveland, has announced with regret that the recent Petrillo FM directive has resulted in discontinuance of the piping of

(Continued on next page)

net programs to WBOE, Educational FM station in that city.

The station is operated by the Cleveland School Board. Among the programs failing to reach the non-commercial station is the CBS educational program, *School of the Air.*

OHIO FARM CO-OPS ASK FOR 4 FM'S

The Ohio Council of Farm Cooperatives has asked the FCC for authority to operate four FM stations.

John H. Davis, executive secretary of the National Council of Farmer Cooperatives, said the Ohio Council acted for the State's agricultural cooperatives, the Ohio Farm Bureau and the Ohio State Grange.

WOULD EXEMPT AP FROM SHERMAN ACT

Rep. Noah Mason (R-Ill.) has introduced a bill (HR-4665) in the House which would exempt the Associated Press and other cooperative news-gathering organizations from the provisions of the Sherman anti-trust law in any application that this law might have affecting "their ordinary and usual activities."

Mason said that in his opinion Congress had not meant to restrict cooperative news agencies within the meaning of the Sherman Act, and that his bill is introduced as a corrective measure.

The significant text of the bill, referred to the Judiciary Committee as a proposed amendment to the Sherman Act, reads:

"Sec. 9: For purposes of this Act, the ordinary and usual operations and activities of mutual news-gathering cooperatives shall not be considered to be in restraint of, or to monopolize, any part of trade or commerce."

ASHBACKER CASE BEFORE SUPREME COURT

Evidence in the Ashbacker Radio Corp. versus the FCC case, which found its way up to the U. S. Supreme Court, is being weighed by that tribunal.

This case, involving a contested 1230 kc frequency allocation for which Ashbacker had applied as a frequency change to another applicant, centers around a contention by Ashbacker that the allocation was prejudicial to its interests, having been made without a hearing on the latter's application.

FCC argues that "the difficulties which would be created if the Commission were unable to grant any license application before according a hearing to a competing applicant are emphasized by recent developments in the radio broadcasting field, notably FM and television.

"We are advised that approximately 2,000 FM stations will probably be constructed during the next five years. Each will require a construction permit from the Commission. In the case of such cities as New York and Philadelphia, the number of applications already exceeds the number of frequencies available for distribution.

"If the Commission were required to afford a hearing to each applicant for particular facilities before any grant could be made, however lacking in merit some of the applications might be, substantial delay in the development of the industry, of service to the public, and of the art of broadcasting would result."

BENTON ANNOUNCES OIC PLANS

William Benton, Assistant Secretary of State, has announced plans for operation of the Office of International Information and Cultural Affairs, which came into existence through a merging of the Office of Inter-American Affairs and OWI.

Mr. Benton announces that all operations in the short wave band will be conducted by the International Radio Division to be headed by John Ogilvie, OIAA radio chief. Harry Blockman, OWI radio chief, will serve as deputy to Ogilvie with Werner Michel and Wilfred Roberts in charge of programming.

OWI's office at 224 W. 57th St., New York, will continue on a restricted basis with broadcasts to Europe, the Pacific, Far East and Latin America. Programs will be built around and consist almost exclusively of information on this country's cultural and scientific affairs pointing up the American way of life.

There will be a sharp curtailment in foreign language broadcasts which will approximate about 50% of the languages used during the war.

It was announced that broadcasts will be made in 13 languages including Austrian, Bulgarian, Czechoslovakian, English, French, German, Greek, Hungarian, Italian, Polish, Rumanian, Spanish and Yugoslavian.

RESULTS OF FIRST RADIO NEWS CLINIC

The success of the industry's first Radio News Clinic held in Springfield, Illinois, Nov. 16, reaffirms the fact

(Continued on next page)

DISTRICT MEETING SCHEDULE

District	*Day*	*Date*	*Hotel*	*City*
16	Monday-Tuesday	Jan. 7-8	Roosevelt	Hollywood, Calif.
15	Thursday-Friday	Jan. 10-11	Fairmont	San Francisco, Calif.
17	Monday-Tuesday	Jan. 14-15	Olympic	Seattle, Washington
10	Friday-Saturday	Jan. 25-26	Fontenelle	Omaha, Nebraska
14	Monday-Tuesday	Jan. 28-29	Brown Palace	Denver, Colorado
13	Thursday-Friday	Jan. 31-Feb. 1	Baker	Dallas, Texas
12	Monday-Tuesday	Feb. 4-5	Tulsa	Tulsa, Oklahoma
6	Thursday-Friday	Feb. 7-8	Peabody	Memphis, Tennessee

In applying for hotel reservations in the various cities at the hotels indicated, a carbon copy of the letter to the hotel should be sent to the director of the district in which the meeting is to be held with the request that he endorse the application to the hotel or to another hotel in the city where the meeting is to be held.

that men engaged in identical work can solve many of their problems by spending a day in discussing them and exchanging ideas. Other radio news clinics are to be held in the months ahead.

The Clinic met under the auspices of the NAB Radio News Committee with Les Johnson, Ninth District Director, and General Manager, WHBF, Rock Island, promoting the attendance of down state stations interested in the improvement or the launching of local news departments.

Harold Dewing, president, WCBS, and Jay Johnson, owner, WTAX, made arrangements for the meeting and were hosts at the function preceding luncheon. E. R. Vadeboncoeur, Radio News Chairman, presided.

In carrying out its obligation to provide its listeners with well rounded news coverage, the Clinic agreed that a radio station cannot overlook the value and importance of local news of familiar names and places. This is especially emphasized now that the dynamics of the war news have made way for the less spectacular news of peace and normal peacetime activities.

The Clinic further felt that the news objectives of radio cannot be accomplished in the hands of other than trained professional news people. The day has long passed when a radio announcer, without news training and background, can handle the news editing and broadcasting by merely tearing copy from a teleprinter. It was recommended that each radio station employ at least one experienced full-time man as the basis for a well-organized news department with an eye on the national ticker and the local news picture as well.

The Clinic described the qualities desirable in a radio station news department head, as follows:

Age: not too old to have lost his eagerness, nor young enough to lack seasoned experience and mature judgment.

Training: should be trained and experienced man, preferable with good radio news experience. Second choice would be man with newspaper experience.

By an experienced radio news editor is not meant an announcer carrying the title. What is intended is an actual newsman who covers and writes local news and is fully qualified to do so. He must be an expert in his field because in his hands the station manager must place completely the handling of news on the station.

If a newspaper man is selected for the job, he should have had experience covering news beats. This gives him a knowledge of news sources and how to develop them.

If the man has had desk experience so much the better because he will have learned how to organize and direct as well as cover and write. A former city editor makes a good man if he has the other qualifications. A legman will not do in a one-man operation.

A good newsman for a radio station must be a student of news. Whether he has a "voice" doesn't matter.

Local Experience Studies in Radio News

Quincy

WTAD, Quincy, has had local news for 8 years. Now have 3 local news shows daily—one 15-min. and two 5-mins.

In expanding, their problem was convincing people that radio was a medium for disseminating news. Now people are beginning to contact station with news. Has one man who does nothing but make contacts. Feels this is a full time job. What surprises station is variety of things local audience is interested in.

Joliet

News director, after 13 years on local newspaper recently joined station. Finds the going better than expected. Also has a woman with good social contacts to run his "social hour", 10-mins. of news on groups, organizations, individuals.

Peoria

The "Town Crier" has been on this station continuously for 13 years. Similar to the newer Joliet woman program. Six times weekly (10-min.) and sponsored with 25-30 items daily.

Phil Gibson, news editor, WMBD, longtime newspaperman, before joining station, delivered a 10-minute paper in which he said: "One of the most tragic mistakes any radio station can make is to entertain a belief that newscasts no longer constitute a salable package now that the war is over. . . . Perhaps the big opportunity lies now in the field of local news. Development of complete and thorough local newscast is a field many radio stations have scarcely touched . . . and if radio newscasting is to survive it must survive through its own strength and ability. It cannot forever continue to be a tail being wagged as an adjunct to some newspaper newsroom . . . it means work. It means expense. It means the training of men . . . We've educated listeners (and news source) that we have a news department that wants the news first."

Rock Island

WHBF's "Round the Town Bulletins" sponsored by a department store is so popular and successful that the store manager frequently receives copy handed him for attention of its news editor. There are 3-mins. of these bulletins in a 15-min. newscast.

East St. Louis

Expressed idea that news on the hour is too often. Has reduced number from 23 to 19. Is writing more news shows, less paste up. Two 15-minute and two 5-minute shows are written. More to come. Quincy, likewise, has reduced shows, 16 to 12.

Cape Girardeau, Mo.

Owner Hirsch says that to be a vital force in a community, a station must tie into the community. Now better than with local news, he asks.

Jacksonville

"Station must assert itself as a news medium. If you don't recognize your own importance nobody else will." Has trained fire department operator to call station on each alarm. Cuts into programs with location of fire and this sponsor is an insurance man. Now good cooperation from all city departments.

Wire & Tape Recorders

Consensus of meeting was that wire and/or tape recorders will prove one of the finest tools ever made available to news departments.

William Ray, WMAQ-NBC, director news and special events, played parts of news shows in which a recorder was used to carry the words of person in the news. Example: Chicago brother of Tokyo Rose. The WHBF News Director, Ray Hamton, followed with a wire recorder demonstration of spot news handling of a cyclone in a rural area; Gen. Jimmy Doolittle at airport, etc. A generator permits use of recorder anywhere.

Legal Problems of Radio News

Fred S. Siebert, director, School of Journalism, University of Illinois, talked on "Legal Problems of Radio News."

(Continued on next page)

"Telling the World" Report No. 2

Station Originations in Support Victory Loan

Period—November 4-11

(Network Originations Excluded)

Treasury Salutes		2,688
Music for Millions		2,863
Sing for Victory		1,761
Diary Personalities		1,875
Crosby Record		2,771
Gibbs Record		1,215
Wayne Record		1,164
Sports Personalities Speak		2,142
Industrial Leaders Speak		844
Stokes Record		154
Wood Record		144
Spots	Regular Length	36,946
	2-min	876
	3-min	330
Programs	5-min	803
	7-min	2
	10-min	278
	15-min	752
	20-min	3
	30-min	319
	35-min	1
	45-min	10
	50-min	2
	1 hour	24
	1¼ hours	2
	1½ hours	2
	1¾ hours	1
	2 hours	7
	2¼ hours	1
	2½ hours	3
	2¾ hours	2
	3 hours	4
	10½ hours	1

His remarks were regarded as so valuable that they are to be issued in pamphlet form and distributed to all stations.

The Following Attended the Clinic

Station *Represented by*

WTAD, Quincy—Dick Faler, News Editor
WJOL, Joliet—Dick Jones, News Editor
WROK, Rockford—Morey Owens, Program Director
WLS, Chicago—Al Boyd, Program Director
WKRO, Cairo; KFVS, Cape Girardeau, Mo.—Oscar Hirsch, Owner.
WTMV, E. St. Louis—Bob Ingham, News Editor
WTAX, Springfield—Jay Johnson, Owner; Mrs. Gladys McGrew, Assistant Manager
WCBS, Springfield—Harold Dewing, President; Les Pefferle, Secretary; C. W. Neeld, General Manager
WMBD, Peoria—Brooks Watson, Program Director; Phil Gibson, News Editor
WDWS, Champaign—Frank Mills, Manager; Jim Strand, News Editor
WJPF, Herrin—Charles Cook, Manager
WJBC, Bloomington—Ted Fairburn, News Editor
WLDS, Jacksonville—Nate Egnor, News Editor
WDZ, Tuscola—Shirl Evans, News Editor
WDAN, Danville—Miss Honore E. Ronan, Program Director
WOC, Davenport, Iowa—Bob Rydeen, News Editor
WHBF, Rock Island—Mr. Johnson, Ted Arnold, Program Director; Ray Hampton, News Editor
WGIL, Galesburg—Kenneth Schleifer, Assistant Manager
WILL, Urbana—Nelson Norman, News Editor
NBC, Chicago—William Ray, Manager, News & Special Events
NAB, Washington, D. C.—Arthur Stringer
INS, Springfield—Miss Pat Milligan
PA, Chicago—Jim Borman, Regional Representative
UP, Chicago—Chas. Ahrens, Edward L. Brant
Broadcasting Magazine, Chicago—Fred Sample
University of Illinois, Urbana—Fred S. Siebert, Director, School of Journalism
WSYR, Syracuse—Mr. Vadeboncoeur
NAB—Arthur Stringer, Secretary NAB Radio News, Commentator

PORTER ATTENDS BERMUDA CONFERENCE

FCC Chairman Paul A. Porter is attending the United States-British Commonwealth Telecommunications Conference which opened Wednesday (21) in Bermuda.

Mr. Porter is vice chairman of the American delegation to the Conference. Assistant Secretary of State Dunn heads the delegation as chairman.

The Conference will not discuss broadcasting problems, but will confine itself entirely to telecommunications affairs outstanding between this country and Britain, and Commonwealth nations, including rates, direct radio telegraph and radio telephone circuits and Anglo-American cables.

FEDERAL ADMINISTRATIVE PROCEDURE ACT PROPOSED

A proposed guide which would standardize administrative procedure was approved and offered to Congress on Monday (19) by the Senate Judiciary Committee.

The Committee reported a bill, which has been under consideration for more than a year, to "settle and regulate the field of Federal administrative law and procedure." The report (No. 752 on the Bill, S-7 sets forth that for more than 10 years Congress has considered proposals for general statutes for administrative law and procedure.

In substance the new bill (1) requires agencies to issue as rules certain specified information as to their organization and procedure; (2) states the limitations on administrative powers; (3) provides requirements for administrative hearings and decisions and, (4) sets out a statement of judicial review "designed to afford a remedy for every legal wrong."

It separates the judicial and legislative functions of administrative agencies and creates a special class of examiners who are to be under civil service. No hearings are required, however, unless statutes already so require in a particular case. In its legislative functions, the board is required to publish notice of its regulations and permit interested parties to submit their views in writing.

"This is one of the most important pieces of legislation before the Congress," Chairman McCarran said. "It will set up standard procedures for the first time in this highly complicated and complex field."

"This now for the first time has the approval of the Attorney General, the American Bar Association and every Government agency," McCarran said.

Chairman Hatton W. Sumner (D.-Tex.) has held hearings on his companion bill (HR-1203). The hearings have not been completed but it is expected that they will be resumed before Christmas.

RISE IN RADIO PRODUCTION

Reports from 32 radio plants, representing about half of the 1939 industry indicate a steady rise in output from September at $17,000,000 to a forecast of $44,000,000 in June, 1946, says the Civilian Production Administration in a report on progress of reconversion.

The Administration continues: While the June rate is still one-third below the wartime monthly production rate, it is almost 4 times average monthly shipments in 1939.

Despite essential similarities in military and civilian production (plant equipment, production techniques and final products) there are problems in reconverting from complicated military radios to the simpler civilian types.

Activity in the production of civilian products, not yet reflected in shipments, held the decline in September employment in the reporting firms to 33 percent from the first quarter level. By June 1946, employment is expected to reach a peacetime peak almost 2½ times the 1939 level and only 20 percent lower than the first quarter 1945 figure.

WAR FUND, INC., THANKS RADIO

Winthrop W. Aldrich, president of the National War Fund, Inc., has expressed that agency's appreciation to NAB for the support "given the War Fund throughout the war."

The letter, dated Nov. 14 follows:

"On behalf of the National War Fund; its member agencies and the seventy million people aided by their efforts, I want to thank you and the member stations of the Association for the generous support given the War Fund throughout the war and in its final 1945 campaign.

"Radio has played a major role in the successes of the National War Fund by projecting the War Fund appeals to the American public. In so doing the radio industry served humanity well and added to its record of achievements in the public service."

RADIO ATHLETIC AWARDS

Howard L. Chernoff, managing director of the West Virginia Network, announces that the network is offering a $500 scholarship to West Virginia University to be awarded to the outstanding West Virginia senior high school athlete of this year and succeeding years.

(Continued on next page)

WPAY, Portsmouth, O., will this year award its initial football trophy to the most valuable football player in the Greater Portsmouth area, which includes five high school teams.

PALEY AWARDED LEGION OF MERIT

President William S. Paley of CBS has been awarded the Legion of Merit, presentation being made in New York by Brigadier General Robert A. McClure, Chief of the Psychological Warfare Division in General Eisenhower's Supreme Allied Command.

During the period specified in the award citation, Paley was Deputy Chief of the Psychological Warfare Division, serving directly under General McClure. Official text of the citation follows:

"Colonel William S. Paley, 02012000, General Staff Corps, United States Army, for exceptionally meritorious conduct in the performance of outstanding service as Deputy Chief, Psychological Warfare Division, Supreme Headquarters, Allied Expeditionary Force, and Deputy Chief, Information Control Division, United States Forces, European Theater, during the period 1 April 1945 to 23 August 1945. Colonel Paley was largely responsible for the preparation and implementation of the United States plan for the control of such services. His tact, energy and remarkable background of experience greatly aided the rapid adaptation of German information services to the purpose of the Commander in Chief. Colonel Paley demonstrated outstanding organizing ability and contributed materially to the success of the division. Entered military service from New York."

Paley began his war service October 6, 1943, when he obtained leave of absence from his CBS duties to accept a special assignment from the OWI that moved him immediately into supervision of Allied radio broadcasting activities in North Africa and Italy.

Shortly after General Eisenhower was given supreme command of Allied Forces in Europe, Paley followed him to London to become Chief of Radio at Supreme Headquarters Allied Expeditionary Forces. Transferred from OWI to the Army, in March, 1945, he was commissioned a Colonel to take his final wartime duties under General McClure.

COLUMBIA RADIO COUNCIL ELECTS

Mrs. Dorothy Griffin, Speech and Drama Department, Christian College, Columbia, Missouri, has been elected President of the Columbia Radio Council succeeding Dr. Sherman Lawton, who has moved to Norman, Oklahoma.

Mr. Hale Aarnes, of Stephens College, will work closely with new council officers.

EMMERT TO WOAI

WOAI has retained Mert Emmert to head its Farm and Ranch Department, according to an announcement by Hugh A. L. Halff, President and General Manager.

Formerly affiliated with WEAF, New York, and WLW, Cincinnati, Emmert is a member of the Advisory Council of the National Association of Radio Farm Directors.

GEORGIA RADIO INSTITUTE PROPOSED

A Georgia Radio Institute, patterned after the Georgia Press Institute, now in its 19th year, is being planned under the joint sponsorship of the Georgia Association of Broadcasters and the Henry W. Grady School of Journalism, the University of Georgia.

The broadcasters met in Columbus, Ga., and named a committee which is to report at the annual convention in Macon, January 12, on details of the Institute.

Wilton E. Cobb, general manager of Station WMAZ, Macon, in proposing the Institute at the Columbus session said that it has the full approval of President Harmon W. Caldwell of the University and Dean John E. Drewry of the Grady School, with both of whom he has talked recently.

In outlining the plans, Mr. Cobb suggested that the first such Institute be held in April 1946, and annually thereafter at the University, just as is the Press Institute, which is sponsored jointly by the Georgia Press Association and the Grady School.

Members of the committee who are to report at the Macon meeting are John M. Outler of WSB, Atlanta; Jack Williams of WAYX, Waycross; and Mr. Cobb.

Messrs. Williams and Cobb pointed out at the Columbus session that the Institute will attract outstanding persons in radio and will bring to the radio industry of Georgia the best and latest in radio operations. It will also afford, they said, a forum of great value for students and teachers of radio of the state.

Mr. Outler said that such an Institute would be of increasing importance to new people coming into radio. He mentioned the increase in the number of projected stations for this region and the need of new trained personnel to handle them. He pledged the cooperation of the Atlanta stations in making the Institute a success, and said that he was certain it would attract "the best brains in American radio."

STOWMAN NAMED ASSISTANT TO CLIPP

Lieutenant Commander Kenneth W. Stowman, USNR, recently released from active duty, joins the staff of WFIL on November 26, as assistant to Roger W. Clipp, President of WFIL.

Before entering the Navy in 1942, Stowman had been connected with WCAU in an executive capacity since 1927.

Commissioned a Lieutenant in the Navy in 1942, Commander Stowman served as Radio Officer in the Philadelphia Office of Navy Public Relations. He was later transferred to the staff of Rear Admiral Charles E. Rosendahl, USN, at Naval Air Station, Lakehurst, N. J. During this tour of duty he covered all lighter-than-air squadrons in Continental United States, Caribbean, Canal Zone, and South American Areas.

FLY RESIGNS AS MUZAK CHAIRMAN

Former FCC Commissioner James Lawrence Fly, who has served as chairman of the board of Associated Muzak Corp. since leaving the Commission, has resigned to devote his time exclusively to his law practice.

WALKER SEES NEW FRONTIERS

The following address, *New Frontiers in Communications*, was delivered by Commissioner Paul A. Walker of the Federal Communications Commission before the Oklahoma City Chamber of Commerce, Oklahoma City, Okla., on Nov. 16, 1945:

"Oklahoma has always taken the lead in scientific and other worthwhile developments. Evidence of this is the National Air Clinic to be held here next week. Remarkable improvements in aviation have come out of the war. I am happy that you have realized the importance of these developments and have shown the wisdom and foresight to plan for the future greatness of aviation in Oklahoma and the Nation. I congratulate the Governor, the Oklahoma City Chamber of Commerce and others who have made this Third National Air Clinic possible.

"It is a well-known fact that the advancement of aeronautical science in the war was due in a large measure to

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revolutionary developments in communications. Radio and telephony played a vital part in giving us the finest and most efficient air force the world has ever known. I propose to speak briefly today about some of the major wartime developments in communications which have gone hand in hand with aviation and which are destined to bring a richer and fuller life to us all.

"To begin with, I should like to talk about Frequency Modulation or FM, a new radio technique developed during the 1930's by Major Edwin F. Armstrong of Columbia University. FM has at least four major advantages over amplitude modulation or AM, used in standard broadcasting.

"First, FM radio makes possible the reduction to a minimum of all static, both natural and man made, even during thunderstorms and other electrical disturbances and in cities and other areas where the electrical noise level is high. Ordinary radio receivers cannot distinguish between a desired signal and static because the two are essentially the same. FM radio waves, on the other hand, are inherently different from static waves, and therefore it is possible to design receivers which will receive FM signals while rejecting static.

"Second, FM receivers can be designed to reject also the weaker of two FM signals, thus reducing interference among radio stations. All of us have had experience in tuning our ordinary home receivers to a radio channel on which two stations are operating simultaneously. Our enjoyment as listeners is destroyed by the background sounds of a distant station coming through the broadcasts of the station we want to hear. A well-built FM receiver can suppress the signal of the weaker station altogether, giving us the program we want against a background of silence.

"Third, FM can bring us a faithful reproduction of the entire range of musical sounds, from the deepest base to the highest overtones. And finally, FM can make possible the operation of many more stations, without interference, on each of the limited number of channels in the radio spectrum.

"Before the war, FM was considered primarily as a means of better broadcasting to our homes; and about 46 FM broadcast stations were actually in operation before the freeze on further civilian construction. During the war, this same FM principle was applied to point-to-point communications, so that tanks went into battle equipped with two-way FM transceivers.

"Today we are on the verge of an FM development in broadcasting so enormous that it may soon rival and thereafter surpass our present broadcasting system. On October 8, 1945, when the wartime freeze on new stations was lifted, there were already 669 applications for new FM broadcast stations on file with the Federal Communications Commission. Conservative estimates suggest that the number will approach 2,000 by 1947 as compared with only about 950 standard broadcast stations now in operation.

"FM, as well as a variety of other new radio services, has been made possible in part by a tremendous expansion of the useful radio spectrum as a result of intensified wartime research. Before the war, the Federal Communications Commission licensed stations having frequencies of from 10 kilocycles to more than 400,000 kilocycles. Today we are able to make use of vastly higher frequencies, so that a wholly new portion of the spectrum from 400,000 to 30,000,000 kilocycles is now opened up. New radio tubes developed during the war period have made possible this great increase, and have thus made feasible the development of new radio facilities such as nation-wide radio relay networks, high definition television in natural colors, radar, walkie-talkie radio apparatus, facsimile, and other services which will bring comfort and delight to the American people.

"Commercial television was given the green light in 1941 but due to restrictions placed on materials and manpower it was not possible for more than a few stations to operate during the war. This service, however, is now ready to move ahead on a limited basis—limited because there are only thirteen channels available for the type of television broadcasting that has been fully developed for commercial purposes. Fortunately, however, these thirteen channels can be duplicated many times throughout the United States so that there probably will be more channels available in some cities than can be utilized.

"Realizing that only thirteen channels would not afford a truly nation-wide competitive system of television broadcasting, that is, a competitive system in small as well as large cities, the Commission recently set aside new bands of frequencies for experimentation which promise to provide color and higher definition pictures in black and white. These new frequencies fall between 480 and 920 megacycles—much higher than the present thirteen commercial channels below 225 megacycles.

"The most effective black and white as well as color television requires the use of a comparatively wider band of frequencies; therefore only the higher frequencies permit an allocation for this purpose. The new band extending from 480 to 920 megacycles may provide for as many as 29 channels for television broadcasting in addition to the thirteen now authorized. This means that we shall have black and white pictures with twice as much detail as those before the war. It also means that we are likely to have the finest pictures in natural colors and perhaps in the third dimension. All of this may be available in a nation-wide system which will bring new pleasure to our people.

"The recent development of new transmitters, receivers and highly directional antennas for use on these high frequencies will make possible the inauguration of nation-wide radio relay systems. All of you can remember the earliest type of antenna. It was simply a wire attached to two poles. With that crude type of aerial much of the radiated energy was wasted because it escaped from the wire in all directions, and much of it was lost in the direction of the planets and other heavenly bodies where, as far as we know, there are no receivers to catch our excellent symphonic music and other worthwhile programs, not to mention our soap operas and singing commercials.

"The stress of war demanded improvements in antenna design, particularly in the field of radar. The result is that we now have antennas so efficient that a 1000-watt transmitter sending a signal to a certain receiver can attain as high as 100,000 watts of radiated power. This means that with low power transmitters, we now can broadcast telephone, telegraph, television and facsimile messages across the country along a direct route of relay stations, say thirty miles apart, instead of from telephone pole to telephone pole so closely spaced that you can't count them from a fast moving train.

"New equipment and operating methods will improve the speed and accuracy of long distance telephone and telegraph service. An operator may be able to dial a call from one end of the country to the other or perhaps to any part of the world without the aid of other operators. In the not-too-distant future, you may be able to dial a toll call from Oklahoma City to a subscriber in Washington, D. C., the same as you now dial one from your office to your home. We shall have a nation-wide system of coaxial cables which will carry television programs as well as telephone and telegraph messages, and these will be built to operate in harmony with a network of radio relay systems. The automatic relaying of telegraph messages instead of the present manual method will greatly improve this oldest form of electrical communication.

"Another radio development during the war is known as "pulse-time modulation" which makes use of a very interesting fact about the human eye and ear. As you know, a moving picture is made up of a series of many separate pictures, run off so fast that the human eye sees them as continuous and moving. On the same principle the human ear hears a series of rapidly produced sounds as one continuous sound. Pulse-time modulation makes use of this fact in an interesting way. Instead of sending out a continuous radio signal, the pulse-time transmitter sends out a series of separate pulse-like signals at very frequent intervals; and these separate pulses are recombined in the receiver and the listener hears them as a continuous sound. The result is that the transmitter is used for only a fraction of time to transmit a particular message; the time between pulses is left available for a second message.

"Actually, as many as 24 messages can be transmitted

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simultaneously in this way, over a single transmitter, and on a single radio channel. At the receiving end, each set of pulses is recombined into a continuous signal. The economy resulting from pulse-time modulation may be very great. While its initial use will be in the transmission of messages from point to point, it may eventually be used for the broadcasting of multiple programs to our homes.

"These developments mean that we should, in the near future, have a greater abundance of facilities which will give to our people speedier and more efficient radio, telephone and telegraph service at much lower costs. In 1934, the year the Federal Communications Commission was created, the long distance toll rate for a daytime station-to-station call between New York and San Francisco was $9.00. The present rate for the same call is only $2.50, or a reduction of over 70 per cent. With the new technique, greater economies in operation may be expected, and further reductions in long distance rates realized.

"This speech would not be complete without some reference to radar. It is now generally known that this new technique was an important factor in winning the war. Radar makes possible the detection of objects at distances up to several hundred miles. It not only detects the object but actually tells us how far away it is, the direction in which it is moving and its speed. Radar works this way: Radio waves which strike an object are reflected and may be caught on the rebound much the same as vocal sounds bounce back and echo after hitting the side of a mountain, or as light strikes a mirror and is reflected. By noting the direction of the returning radio wave and by determining the time it takes it to make the round trip, it is possible to calculate the direction and distance of an object many miles away and, if it is moving, figure its rate of speed.

"The precision of radar instruments is dramatically illustrated by a recent incident. According to *Nature* magazine, a British scientific journal, wild geese flying at night were tracked by radar operators for as long as 99 minutes, during which time the geese flew 57 miles—an average of 35 miles an hour.

"You can readily understand the value of such a system in peace time. An airplane pilot lost in fog can know if his plane is approaching hazardous terrain such as a mountain long before he reaches it. Ships lost at sea can detect at all times the approach of other ships and determine at any moment the exact distance to shore. Thus radar will greatly contribute to the safety of transportation on sea and in the air, and may eventually be adapted to land transportation to be used as an anti-collision device on trains, buses, and even taxicabs.

"Along this same line, the radar altimeter which will be used widely on private and commercial aircraft in the near future will serve a most useful purpose. This instrument will enable the pilot to determine at all times his height above the ground. This again will add to the security of air travel.

"Another valuable use of radio in aviation will come in the testing of airplanes. An accurate visual indication of stresses, strains, temperature, pressure, motor speed, etc., may be observed at a ground station located several miles from a plane which is being tested at hight altitudes. This process, known as telemetering, requires only one person to occupy the plane performing difficult maneuvers and undergoing such severe tests as power dives.

"Probably one of the most interesting new developments in radio is the walkie-talkie. This is a small portable device with a transmitter and receiver which will permit citizens to communicate within limited range in the same community. A doctor making calls in the community may keep in constant touch with his office or the hospital. The milkman or grocer, on his delivery route can keep in touch with the manager at the dairy or store. The farmer, as he works in the field, can talk with his wife at the house several miles away. If he would like an early lunch, he can tell her immediately by raido. Or he may communicate with other workers in the fields and better organize and coordinate his work.

"These instruments will be compactly built so that they may be carried with comparative ease and will be made at costs that many of our citizens can afford. The Commission has already assigned a band of frequencies for walkie-talkie transmission and it should not be long until many of them will be in use.

"In this connection, the July 28, 1945, issue of THE SATURDAY EVENING POST carried an article by Commissioner Jett about "The Citizens' Radio." By this plan citizens may share frequencies on a cooperative plan for walkie-talkie transmissions. There are certain important radio services such as those which relate to safety of life and property that we must provide for, but the Commission hopes to get around to the formulation of rules for the licensing of the "Citizens' Radio" service just as soon as possible.

"I have had a special interest in the use of radio in railroad service. Recent experiments have proved that radio communications from front to rear of trains, from train to train, as well as from railway station to train can be used effectively. Eventually two-way voice communication may be furnished to connect passengers or crewmen on trains with any telephone in the country. It may not be long until a passenger can step to the telephone in a private booth in a speeding train and talk to his wife at home or people in his office a thousand miles away and talk at rates which the average citizen can afford.

"What I have said in regard to railroads may be applied to buses, taxicabs and trucks. The installation of radio communication on common carriers will improve service, cut down the accident rate on railroads and highways and facilitate first aid treatment in cases of emergency.

"It is of interest to know that the first successful radio transmission between a radio station and a moving train for a distance of more than 25 miles was accomplished in Oklahoma on May 30, 1922. The train ran from Oklahoma City to Lawton and kept in constant touch with the station. It was said that this marked an epoch in the use of radio on moving trains. It was only recently, however, that railroads in general manifested a real interest in radio and its possibilities.

"I mention briefly a few other important services which may come as a result of wartime research. Facsimile, the instantaneous transmission of writing, printing and pictures, will have many applications. The farmer in the Panhandle of Oklahoma, far removed from a town or city, may be able to receive the news at frequent intervals directly recorded in his home. The latest information on crop production, soil conservation and farm prices may be made available by facsimile broadcasting. Telefax apparatus may be placed in office buildings, hotels, railroad stations, airports and other public places where facsimile messages can be dropped in slots and transmitted directly to Western Union offices for relay to their destinations. Stratovision, a system by which it is proposed to relay radio, television, facsimile and other types of broadcasts from airplanes flying at high altitudes may have interesting possibilities. The Federal Communications Commission has already issued one such license on an experimental basis. The application of high frequency radio to industrial operations has had a rapid growth in recent years. As a means of effective, intensive heating it will become more useful in woodwork, plastic, textile, rubber and chemical industries. Also in the field of journalism, medical science, motion pictures, geophysics, and others, radio is destined to play an increasingly important part.

"Now that we have these many new improvements in communications, my fervent hope is that they will be speedily made available to the use of all our people. The recent technological progress is a tribute to the genius and enterprise of our scientists and leaders, but will be just as great a tribute to see that the mass of the people realize the full benefit of this progress. Its real significance is that we can bring new comforts and conveniences to every citizen and by providing a greater abundance of communications facilities can further strengthen our democratic way of life.

"If it is true that we may have as many as 2 or 3 thousand FM stations in this country in the next few years, this has crucially important social and economic implications. It means fuller employment and more purchasing power for our people. It means that about one-third of the United States and about ten millions of our people will get adequate radio service which at present they are

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denied. I also hope it means that more localities throughout the nation will have stations which not only receive the finest network programs, but which provide greater opportunities for community participation in broadcasting.

"Radio has already contributed greatly to the education of our people, but there are almost limitless possibilities ahead. The Federal Communications Commission has recently allocated 20 channels for non-commercial educational FM broadcasting. By systematic planning this space in the spectrum can easily accommodate 1000 new educational stations. It will interest you to know that a large number of public schools, colleges and universities are planning to apply for stations and the United States Office of Education advises that most states are planning state-wide educational networks.

"I am much interested in providing adequate communications facilities for the farmers in America. A report of the Federal Communications Commission in November of last year showed that 3 out of 4 farms in the nation did not have telephones. Oklahoma farmers are among those inadequately supplied with telephone service.

"We have been assured by industry in recent months that the new techniques in radio and telephony will make possible the improvement and expansion of rural telephone service at costs which the average farmer can afford. In my opinion here is a challenge and duty which industry should not fail to meet promptly.

"The basic problem of the future, it seems to me, is to see that the ever-expanding communications mechanisms are operated in the public interest. The important thing is to see that the technical gains are made available to all the people. In order to achieve this, we must have managers and operators in the communications industry who are more than dollar minded, and we must have regulators who are democratic in outlook and intensely devoted to the public interest.

"The developments which have come out of this war present challenging frontiers in the field of communications. I can think of no more fitting way to conclude than by quoting a statement of the late President Roosevelt. Shortly before he died, he said: 'New frontiers of the mind are before us, and if they are pioneered with the same vision, boldness, and drive with which we have waged this war we can create a fuller and more fruitful employment and a fuller and more fruitful life.'

"These words of our great War President have a special application to communications. Under the impetus of war, new technological levels have been reached. The big job before us now is to see that these highly developed communications devices contribute to the greater security and comfort of all the people and at the same time help us achieve higher levels of culture and civilization."

RADIO LAUDED FOR WAR EFFORT

At the Program Managers-Treasury luncheon held in Washington on Oct. 12, Mr. Robert W. Coyne, National Field Director of the Treasury War Finance Division, delivered a short address in which he paid high tribute to the outstanding performance rendered by the industry in behalf of the war effort.

NAB requested a transcript of Mr. Coyne's remarks so that they might be sent on to broadcasters via NAB Reports. This transcript, delayed because of Mr. Coyne's continued absence from the city, is reprinted herewith in full:

"I am very grateful for an opportunity to speak briefly to this group today, for there is no group in the country for whose efforts I have a greater appreciation. I am familiar with your wartime service in many projects and the value of radio in each field. I think, however, that radio's proudest accomplishment in its history has been its contribution to the war finance program. If I had time I think I could document this statement to your satisfaction. That is an assignment I would cheerfully undertake. Within my time limit I wish now, however, to point out the importance of your accomplishment from an angle that has received too little comment.

"You are all familiar with the gigantic job of selling 85 million people 900 million War Bonds. You know that quantitatively this is the greatest job of selling that has even been accomplished, and you know how importantly radio has figured in bringing this about. You have been so engrossed in doing this job—you have been so close to the picture—that I do not believe you have read into this job of selling the attributes which in my judgment transcend the value and importance of the dollars raised or the number of bonds sold. I do not believe you realize that you have been vitally instrumental in setting in action a force that will influence our lives for generations. I am serious when I say that your children and their children will inherit the benefits of this program in many manifestations, some of which will be so remote that their source will have been forgotten. These benefits will take the shape of homes that never would have been built, careers that never would have happened and habits that never would have been formed—and many other intangibles that defy classification. A by-product of your sales effort which cannot be valued but whose potential benefits lead to intriguing speculation is the fact that before this war 90 percent of the families of this country owned only 10 percent of the individually-held government bonds. Ninety percent of the families today, and that includes a lot of little guys, own 40 percent of the present total. Economists have estimated that this spread of the new wealth extends to other than government holdings as well. You do not realize, I think, that before this war 20 million people making less than a thousand dollars a year had a negative record of savings; and that your efforts have aided greatly in bringing more than half of that group, even with their meager incomes, into the savings column, so that they hold an average of two months' pay as a bulwark against adversity.

"I believe you have been too busy to realize the importance to our country's welfare in the postwar period of the fact that there are 85 million financial partners in government. This can bring about an entirely new concept of civic responsibility. Partners feel that they have a vested interest in the firm and watch its management. Bondholders will take a new interest in government management. They will watch Congress; they will feel free to approve; they will feel free to criticize as they exercise the sense of proprietorship that goes with these bonds.

"So you have done a job of selling that by any merchandising standards makes history, but in that job of selling you have not only sold bonds—cold instruments of finance—but you have sold habits and ideas and hopes that are beyond price. That is a job of selling of which you should be intensely proud. It is a job of selling that will not be fully appreciated until viewed by historians of the future. It is a job of selling that without radio would not have been possible, and I am honored to acknowledge this to you today."

FCC TELEVISION ENGINEERING STANDARDS

DOCKET No. 6780

In the Matter of

Promulgation of Rules and Regulation and Standards of Good Engineering Practice for Commercial Television Broadcast Stations.

REPORT BY THE COMMISSION

This report contains the Commission's decision with respect to the seven suggested rules and regulations concerning commercial television broadcast stations operating below 300 mc. which were set forth in the Commission's order of September 20, 1945, and which were the subject of oral argument on October 11 and 12. Only the substance of these rules and regulations is discussed in this report. The text of the rules and regulations themselves and the standards of good engineering practice based upon these regulations will be issued in the immediate future.

(Continued on next page)

I

The allocation plan which was set forth as Item 7 in the order of September 20, 1945, will be discussed first. Three types of stations were proposed: Community, Metropolitan, and Rural. There was general agreement among those appearing at the hearing that this was a proper classification of television stations and the rules will so provide.

In the order of September 20, 1945, the Commission proposed that channels 1, 12 and 13 be set aside for Community stations and the remainder be used for Metropolitan or Rural stations. Under this proposal New York City would have only four television stations but this would make possible at least one television station in practically all of the larger cities in the country. Under the industry proposals which had theretofore been made to the Commission, New York City would have 7 stations but many important cities would not be able to have any television stations.

At the hearing Television Broadcasters Association suggested a different assignment from that proposed in the Commission's order. Instead of using three channels for Community stations, it proposed that only one channel, No. 1, be used for Community stations and that the remaining channels should be used for Metropolitan or Rural stations. In addition, it pointed out that provision could be made for 7 stations in New York if directional antennas were employed in some of the smaller cities. Data were submitted in support of this plan.

The Commission has carefully studied the TBA proposal and the data submitted therewith. The Commission is of the opinion that it is desirable to have 7 television stations in New York City if this can be done without depriving other important communities of the opportunity of having any television station. An examination of the TBA proposal reveals that there are several disadvantages in attempting to accomplish this objective by the use of directional antennas. In the first place, the Commission desires to avoid as much as possible the resort to directional antennas for television. With the great increase in civil aviation as a result of the war, it is going to be increasingly difficult to find suitable antenna sites that do not constitute a hazard to air navigation. If directional antennas are used, there is much less flexibility in choosing antenna sites, thus increasing the possibility of conflict with air navigation requirements. Moreover, directional antennas will have to be located away from cities with the result that problems of shadows and multipath distortion in rendering service to cities will be much greater than where the antenna is located in the city itself—in most instances antennas can be located in the city itself where no directional antenna is required.

In the second place, the directional antenna patterns proposed by TBA result in many instances in highly artificial service areas with a good part of the station's signal strength being directed out to sea. Moreover, the service area of the stations using directional antennas would be no larger than that of a Community station but such stations would be as expensive to construct and operate as Metropolitan stations.

The Commission has devised a plan which meets the objectives of the TBA proposal but does not involve the use of directional antennas. Under this plan it will be possible to have 7 television stations in New York City and to have as many television stations in the other cities throughout the country as was proposed in the TBA plan. Generally speaking, what has been done is to provide for Community stations in the smaller communities where the TBA plan had proposed high-power stations with directional antennas. In addition, television stations have been located somewhat closer together in the eastern part of the United States than was done in the original Commission proposal with the result that in many instances stations may not be able to serve out to their 500 uv/m contour. However, on an overall basis the average service area of all stations in the eastern part of the United States will be greater under the Commission proposal than under the TBA proposal.[1] Under the Commission's plan only television channel No. 1 will be designated as a Community channel. All of the other television channels will be available for either Metropolitan or Rural stations. However, in the smaller cities Community stations will be assigned to these channels.

Under the rules and regulations the official standard of protection of television stations will be the 5000 uv/m contour. The Commission will, however, make every effort wherever possible to permit stations to serve beyond their 5000 uv/m contour but no protection can be accorded beyond that contour.

In the table below, there are set forth the channels which are available at the present time under the Commission's new allocation. The table will be revised from time to time depending upon the demand for television stations which may exist in the various cities. Where it is desired to use a different channel in such area or to use another channel in an area conflicting therewith, it must be shown that public interest, convenience, and necessity will be better served thereby than by the allocation set forth in the table.

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[1] In the remainder of the country, there is no difference between the TBA proposal and the Commission's allocation.

TABLE SHOWING ALLOCATION OF TELEVISION CHANNELS TO METROPOLITAN DISTRICTS IN THE UNITED STATES

Metropolitan District (U. S. Census 1940)	*Sales Rank*	*Population*	*Channel Nos. (Metropolitan)*	*Total Stations Metropolitan*	*Total Stations Community*
Akron	35	349,705	11	1	–
Albany Schenectady Troy	23	431,575	2, 4, 7, 9, 11	5	
Allentown Bethlehem Easton	43	325,142	8	–	1
Altoona	111	114,094	9	1	–
Amarillo	136	53,463	2, 4, 5, 7	4	–
Asheville	132	76,324	5, 7, 12	3	–
Atlanta	25	442,294	2, 5, 8, 11	4	–
Atlantic City	83	100,096	8	–	1
Augusta, Ga	135	87,809	6, 12	2	–
Austin	106	106,193	8, 10, 12	3	–
Baltimore	13	1,046,692	2, 11, 13	3	–
Beaumont Port Arthur	90	138,608	3, 6, 8, 10	4	–
Binghamton	75	145,156	12	1	–
Birmingham	42	407,851	4, 9, 13	3	–
Boston	5	2,350,514	2, 4, 7, 9, 13	5	–
Bridgeport, Conn	53	216,621	1	–	1
Buffalo Niagara	14	857,719	4, 7, 9, 13	4	–
Canton, Ohio	63	200,352	1	–	1
Cedar Rapids	115	73,219	7, 11	2	–
Charleston, S. C.	127	98,711	7, 10, 13	3	–
Charleston, W. Va	88	136,332	7, 11, 13	3	–
Charlotte	99	112,986	3, 9, 11	3	–
Chattanooga	76	193,215	3, 6, 10, 12	4	–
Chicago	2	4,499,126	2,4,5,7,9,11,13	7	–
Cincinnati	16	789,309	2, 4, 7, 11	4	–
Cleveland	9	1,214,943	2, 4, 5, 7, 9	5	–
Columbia	117	89,555	2, 4, 8	3	–
Columbus, Ga	133	92,478	3, 12	2	–
Columbus, Ohio	29	365,796	3, 6, 8, 10	4	–
Corpus Christi	121	70,677	3, 6, 8, 10	4	–
Dallas	27	376,548	4, 8, 12	3	–
Davenport Rock Island Moline	67	174,995	2, 4, 5, 9	4	–

(Continued on page 533)

Metropolitan District (U. S. Census 1940)	Sales Rank	Population	Channel Nos. (Metropolitan)	Total Stations Metropolitan	Total Stations Community
Dayton	44	271,513	5, 13	2	–
Decatur	122	65,764	2	1	–
Denver	26	384,372	2, 4, 5, 7, 9	5	–
Des Moines	59	183,973	2, 4, 5, 9	4	–
Detroit	6	2,295,867	2, 4, 5, 7, 9	5	–
Duluth Superior	72	157,098	3, 6, 8, 10	4	–
Durham	139	69,683	4, 7	2	–
El Paso	105	115,801	2, 4, 5, 7	4	–
Erie	95	134,039	12	1	–
Evansville, Ind	93	141,614	2, 11	2	–
Fall River New Bedford	55	272,648	1	–	1
Flint	64	188,554	11	1	–
Fort Wayne	81	134,385	2, 4, 7, 9	4	–
Fort Worth	51	207,677	2, 5, 10	3	–
Fresno	79	97,504	2, 4, 5, 7	4	–
Galveston	131	71,677	9, 11, 13	3	–
Grand Rapids	57	209,873	7, 9	2	–
Greensboro	130	73,055	2, 10	2	–
Hamilton Middletown	110	112,686	9	1	–
Harrisburg	70	173,367	8	1	–
Hartford New Britain	20	502,193	8, 10	2	–
Houston	21	510,397	2, 4, 5, 7	4	–
Huntington, W. Va. Ashland, Ky	92	170,979	5	1	–
Indianapolis	24	455,357	3, 6, 8, 10, 12	5	–
Jackson	128	88,003	2, 4, 5, 7	4	–
Jacksonville	66	195,619	2, 4, 6, 8	4	–
Johnstown, Pa	100	151,781	13	1	–
Kalamazoo	112	77,213	3	1	–
Kansas City, Mo. Kansas City, Kans.	17	634,093	2, 4, 5, 9	4	–
Knoxville	87	151,829	2, 4, 8, 11	4	–
Lancaster	91	132,027	4	–	1
Lansing	94	110,356	6	1	–
Lincoln	109	88,191	10, 12	2	–
Little Rock	98	126,724	3, 6, 8, 10	4	–
Los Angeles	3	2,904,596	2,4,5,7,9,11,13	7	–
Louisville	33	434,408	5, 9	2	–
Lowell Lawrence Haverhill	45	334,969	6	1	–
Macon	137	74,830	4, 7, 10	3	–
Madison	101	78,349	9	1	–
Manchester	118	81,932	1	–	1
Memphis	37	332,477	2, 4, 5, 7, 9	5	–
Miami	38	250,537	2, 4, 5, 7	4	–
Milwaukee	15	790,336	3, 6, 8, 10	4	–
Minneapolis St. Paul	11	911,077	2, 4, 5, 7, 9	5	–
Mobile	119	144,906	3, 5, 9, 11	4	–
Montgomery	126	93,697	6, 10	2	–
Nashville	56	241,769	4, 5, 7, 9	4	–
New Haven	39	308,228	6	–	1
New Orleans	31	540,030	2, 4, 6, 7, 10	5	–
New York Northeastern N. J.	1	11,690,520	2,4,5,7,9,11,13	7	–
Norfolk Portsmouth Newport News	47	330,396	4, 7, 11, 13	4	–
Oklahoma City	52	221,229	2, 4, 5, 9	4	–
Omaha Council Bluffs	40	287,269	3, 6, 7	3	–
Peoria	69	162,566	3, 6, 12	3	–
Philadelphia	4	2,898,644	3, 6, 10, 12	4	–
Phoenix	84	121,828	2, 4, 5, 7	4	–
Pittsburgh	8	1,994,060	3, 6, 8, 10	4	–
Portland, Maine	89	106,566	3, 8	2	–
Portland, Oreg	22	406,406	3, 6, 8, 10, 12	5	–
Providence, R. I.	18	711,500	11	1	–
Pueblo	140	62,039	3, 6, 8, 10	4	–
Racine Kenosha	97	135,075	1	–	1
Reading	73	175,355	5	–	1
Richmond	48	245,674	3, 6, 8, 10	4	–
Roanoke	104	110,593	5, 9, 12	3	–
Rochester	28	411,970	2, 6, 11	3	–
Rockford	102	105,259	12	1	–
Sacramento	54	158,999	3, 6, 10	3	–
Saginaw Bay City	77	153,388	3, 8, 13	3	–
St. Joseph	129	86,991	13	1	–
St. Louis	10	1,367,977	4, 5, 7, 9, 13	5	–
Salt Lake City	58	204,488	2, 4, 5, 7, 9	5	–
San Antonio	50	319,010	2, 4, 5, 7, 9	5	–
San Diego	49	256,268	3, 6, 8, 10	4	–
San Francisco Oakland	7	1,428,525	2, 4, 5, 7, 9, 11	6	–
San Jose	78	129,367	13	1	–
Savannah	114	117,970	3, 5, 9, 11	4	–
Scranton Wilkes-Barre	30	629,581	11, 1	1	1
Seattle	19	452,639	2, 5, 7, 11	4	–
Shreveport	96	112,225	2, 4, 6, 8	4	–
Sioux City	107	87,791	4, 9, 11, 13	4	–
South Bend	80	147,022	1	–	1
Spokane	71	141,370	2, 4, 5, 7, 9	5	–
Springfield, Ill	103	89,484	8, 10	2	–
Springfield, Mass. Holyoke	32	394,623	3, 1	1	1
Springfield, Mo	134	70,514	2, 4, 5, 9	4	–
Springfield, Ohio	125	77,406	1	–	1
Stockton	108	79,337	8	1	–
Syracuse	46	258,352	5, 8, 10	3	–
Tacoma	74	156,018	4, 9, 13	3	–
Tampa St. Petersburg	61	209,693	2, 4, 5, 7	4	–
Terre Haute	116	83,370	4	1	–
Toledo	34	341,663	13	1	–
Topeka	123	77,749	7, 11	2	–
Trenton	60	200,128	1	–	1
Tulsa	65	188,562	3, 6, 8, 10	4	–
Utica Rome	68	197,128	3, 13	2	–
Waco	138	71,114	3, 6, 9, 11	4	–
Washington	12	907,816	4, 5, 7, 9	4	–
Waterbury	85	144,822	12	1	–
Waterloo	120	67,050	3, 6, 13	3	–
Wheeling	82	196,340	12	1	–
Wichita	86	127,308	2, 4, 5, 9	4	–
Wilmington	62	188,974	7	–	1
Winston-Salem	124	109,833	6, 8	2	–
Worcester	41	306,194	5	1	–
York	113	92,627	1	–	1
Youngstown	36	372,428	13	1	–

II

With respect to the other rules and regulations which were set forth in the Commission's order of September 20, 1945, the Commission took the following action:

(1) *Minimum operating schedules.* All commercial television stations will be required to operate a minimum of 28 hours a week with a minimum of two hours a day. The Commission will carefully scrutinize this minimum operating requirement with the view of progressively increasing it so that there will be a maximum utilization of each channel. In addition, the Commission will give consideration to any proposal that different minimum requirements be established for different types of stations or for various cities of different sizes.

The Commission is not making any compulsory requirement at this time for the sharing of television channels. However, applications will be considered from persons who desire to enter into a voluntary sharing arrangement of a television channel.

(2) *Multiple ownership.* The rule on multiple ownership is as follows:

(a) No person (including all persons under common control) shall, directly or indirectly, own, operate or control more than one television broadcast station that would serve substantially the same service area as an-

(Continued on next page)

other television broadcast station owned, operated, or controlled by such person.

(b) No person (including all persons under common control) shall, directly or indirectly, own, operate, or control more than one television broadcast station, except upon a showing (1) that such ownership, operation, or control would foster competition among television broadcast stations or provide a television broadcasting service distinct and separate from existing services, and (2) that such ownership, operation, or control would not result in the concentration of control of television broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity; *provided, however*, that the Commission will consider the ownership, operation, or control of more than five television broadcast stations to constitute the concentration of control of television broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity.

(3) *Network regulations.* The chain broadcasting regulations are made applicable to television stations.

(4) *Use of common antenna site.* The Commission is adopting this rule in the form in which it was set forth in the Commission's order of September 20, 1945. The rule reads as follows:

> No television license or renewal of a television license will be granted to any person who owns, leases, or controls a particular site which is peculiarly suitable for television broadcasting in a particular area; and (1) which is not available for use by other television licensees; and (2) no other comparable site is available in the area; and (3) where the exclusive use of such site by the applicant or licensee would unduly limit the number of television stations that can be authorized in a particular area or would unduly restrict competition among television stations.

(5) *Announcement of mechanical reproductions.* Mechanical reproductions will have to be announced either at the beginning or at the end of each such mechanical reproduction or of the program in which such reproduction is used. No announcement will be required where mechanical reproductions are used for background or incidental effect, station identification, etc.

(6) *Station identification.* Station identification announcements, both aural and video, will be required at signing on and signing off by the station. In addition, station identification announcements will be required at least once each hour on the hour and may be either by video or aural means.

Federal Communications Commission,
T. J. Slowie,
Secretary.

CHANGES IN FREQUENCIES RECOMMENDED BY IRAC

The Federal Communications Commission, on Nov. 19, announced several minor modifications in its plan of frequency allocations from 25,000 to 30,000.000 kilocycles which was issued on May 25, 1945. The modifications were the result of recent conferences between representatives of the Commission and the Interdepartment Radio Advisory Committee at which it was disclosed that developments in various types of equipment used as aids to air and marine navigation made the changes desirable.

The services and bands affected by the changes are shown in the following tables:

NEW

Band (MC)	*International Service*	*U. S. Allocation*	*Remarks*
960–1215.....	Navigation Aids	Navigation Aids	
1215–1295.....	Amateur	Amateur	Amateur
1295–1375.....	(a) Fixed (b) Mobile except Aero.	Non-Government	Television Relay
1375–1425.....	(a) Fixed (b) Mobile	Non-Government	Fixed and Mobile
1425–1600.....	(a) Fixed (b) Mobile	Government	

FORMER

960–1145.....	Navigation Aids	Navigation Aids
1145–1245.....	Amateur	Amateur
1245–1325.....	Fixed and Mobile except Aero.	Television
1325–1375.....	Fixed and Mobile	Non-Government, Fixed and Mobile, Including Aero.
1375–1600.....	Fixed and Mobile	Government

The changes between 960 and 1600 Mc are designed to provide additional spectrum space for navigation aids which recent developments have shown to be desirable.

NEW

2900–3700.....	Navigation Aids	Navigation Aids	Racons 3256±MC with Guard Band 3246–3266 Mc.
3700–4000	(a) Fixed (b) Mobile except Aero.	Non-Government	
4000–4200.....	Air Navigation Aids	Air Navigation Aids (Altimeters)	
4200–4400.....	(a) Fixed (b) Mobile except Aero.	Non-Government	

FORMER

2900–3700.....	Navigation Aids	Navigation Aids
3700–3900.....	Air Navigation Aids	Air Navigation Aids
3900–4400.....	(a) Fixed (b) Mobile except Aero.	Non-Government

Recent developments in altimeters have indicated the desirability of moving the air navigation aid band from 3700–3900 Mc to 4000–4200 Mc.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 26.

Federal Communications Commission Action

APPLICATIONS GRANTED

WCAU—WCAU Broadcasting Co, Philadelphia, Pa.—Granted license to cover construction permit which authorized changes in transmitting equipment.

WTHT—The Hartford Times, Inc., Hartford, Conn.—Granted construction permit to install new vertical antenna and change transmitter and studio locations from 983 Main St., to 555 Asylum St., Hartford, Conn.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted license to cover construction permit which authorized installation of an auxiliary transmitter, and authority to determine operating power by direct measurement of antenna power.

WFEB—Ala. Broadcasting Co., Inc., Sylacauga, Ala.—Granted license to cover construction permit which authorized move of transmitter. The licensee hereunder is granted waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules; conditions.

WJHO—Opelika-Auburn Broadcasting Co., Opelika, Ala.—Granted authority to determine operating power by direct measurement of antenna power.

WENH—WJR, The Goodwill Station, Inc., Area of Detroit, Mich.—Granted license to cover construction permit which authorized a change in frequencies, power and equipment of relay station, and change in corporate name.

APPLICATIONS FILED AT FCC

590 Kilocycles

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Voluntary transfer of control of licensee corporation from Louis Wasmer to Spokane Chronicle Company—2500 shares common stock—100%.

620 Kilocycles

NEW—Leo E. Owens, McAllen, Texas (P. O. 21 S. 12th St.)—Construction permit for a new standard broadcast station to be operated on **620 kc.**, power of 1 KW and daytime hours of operation.

680 Kilocycles

NEW—Jose Ramon Quinones, San Juan, P. R. (P. O. Box 2582)—Construction permit for a new standard broadcast station to be operated on **680 kc.**, power of 10 KW. and unlimited hours of operation.

750 Kilocycles

NEW—Hugh R. Norman and A. M. McGregor, d/b as Davenport Broadcasting Co., Davenport, Iowa (P. O. 115 W. 3rd, Office 108)—Construction permit for a new standard broadcast station to be operated on **750 kc.**, power of 250 watts and daytime hours of operation.

790 Kilocycles

NEW—Lee Segall Broadcasting Co., Houston, Texas (P. O. Citizens State Bank Bldg.)—Construction permit for a new standard broadcast station to be operated on **790 kc.**, power of 1 KW and daytime hours of operation.

800 Kilocycles

NEW—Camden Broadcasting Company, Camden, N. J. (P. O. 126 N. Broadway)—Construction permit for a new standard broadcast station to be operated on **800 kc.**, with power of 1 KW. and daytime hours of operation.

850 Kilocycles

NEW—The News and Observer Publishing Co., Raleigh, N. C. (P. O. 114-116 W. Martin St.)—Construction permit for a new standard broadcast station to be operated on **850 kc.**, power of 5 KW. and unlimited hours of operation using directional antenna for night use.

960 Kilocycles

NEW—Southern Illinois Broadcasting Co., Inc., Centralia, Ill. (P. O. 128 S. Locust St.)—Construction permit for a new standard broadcast station to be operated on **960 kc.**, power of 1 KW. and unlimited hours of operation using directional antenna day and night.

970 Kilocycles

WFLA—The Tribune Company, Tampa, Fla.—Construction permit to make changes in directional antenna system for night use.

NEW—Radio Peoria, Inc., Peoria, Ill. (P. O. 357 N. Main St.)—Construction permit for a new standard broadcast station to be operated on **970 kc.**, power of 1 KW. and unlimited hours of operation using directional antenna day and night.

1030 Kilocycles

NEW—Fort Wayne Broadcasting, Inc., Fort Wayne, Ind. (P. O. 525 Lincoln Tower Bldg.)—Construction permit for a new standard broadcast station to be operated on **1030 kc.**, power of 1 KW and daytime hours of operation.

NEW—Syndicate Theatres, Inc., Columbus, Ind. (P. O. 57½ N. Main St., Franklin, Ind.)—Construction permit for a new standard broadcast station to be operated on **1130 kc.**, power of 500 watts and daytime hours of operation.

1040 Kilocycles

NEW—Northern Ohio Broadcasting Co., Amherst, Ohio (P. O. 1410 N. Lakeview Blvd., Lorain, O.)—Construction permit for a new standard broadcast station to be operated on **1040 kc.**, power of 1 KW and limited hours of operation.

1130 Kilocycles

NEW—Universal Broadcasting Co., Inc., Indianapolis, Ind. (P. O. 126 E. Market St. #607)—Construction permit for a new standard broadcast station to be operated on **1130 kc.**, power of 10 KW. and unlimited hours of operation using directional antenna day and night.

1190 Kilocycles

NEW—Omar G. Hilton and Greeley N. Hilton d/b as Davidson County Broadcasting Co., Lexington, N. C. (P. O. Box 136)—Construction permit for a new standard broadcast station to be operated on **1190 kc.**, power of 250 watts and daytime hours of operation.

1230 Kilocycles

NEW—Pueblo Radio Co., Inc., Pueblo, Colo. (P. O. 522 N. Center, Colorado Springs, Colo.)—Construction

(Continued on next page)

permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Vermont Broadcasting Corp., Burlington, Vt. (P. O. 187 College St.)—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts and unlimited hours of operation.

WTHT—The Hartford Times, Inc., Hartford, Conn.—Construction permit to install new vertical antenna and change transmitter and studio locations.

NEW—New England Broadcasting Co., Worcester, Mass. (P. O. 914 Park Bldg.)—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Medford Printing Co., Medford, Oreg.—Construction permit for a new standard Broadcast Station to be operated on **1230 kc.**, power of 250 watts and unlimited hours of operation.

1240 Kilocycles

KWOS—Tribune Printing Co., Jefferson City, Mo.—Voluntary assignment of license to Capital Broadcasting Co.

1300 Kilocycles

NEW—Austin Broadcasting Co., Austin, Texas (P. O. 1901 Dillman St.—Construction permit for a new standard broadcast station to be operated on **1300 kc.**, power of 1 KW and unlimited hours of operation using directional antenna for night operation.

1340 Kilocycles

NEW—Parkersburg Sentinel Co., Marietta, Ohio (P. O. 519 Juliana St., Parkersburg, W. Va.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

1400 Kilocycles

NEW—Southeastern Mass. Broadcasting Corp., New Bedford, Mass. (P. O. 222 Union St.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation.

1450 Kilocycles

NEW—Meridian Broadcasting Co., Meridian, Miss. (P. O. 2100 14th St.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Lake Erie Broadcasting Co., Sandusky, Ohio (P. O. 33 N. High St., Columbus, O.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Construction permit to install new antenna and ground system. Amended: to change name of applicant to Aurelia S. Becker and Charles Z. Heskett d/b as Cumberland Broadcasting Co.

NEW—Jose M. Sepulveda and Dr. Jose M. Rodriguez Quinones d/b as Paradise Broadcasting Co., Mayaguez, P. R. (P. O. 15 Coll y Toste St., Arecibo, P. R.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Peninsular Broadcasting Corp., Coral Gables, Fla. (P. O. c/o Geo. W. Thorpe, 660 Grand Concourse, Miami, Fla.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

1490 Kilocycles

NEW—Evening Journal Publishing Co., Martinsburg, W. Va. (P. O. 205-207 W. King St.)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Telegram Publishing Co., Salt Lake City, Utah (P. O. 136 S. Main St.)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts, and unlimited hours of operation.

FM APPLICATIONS

NEW—Cowles Broadcasting Company, Des Moines, Iowa (P. O. 715 Locust St.)—Construction permit for a new FM (Rural) broadcast station to be operated on Channel #60 **(99.9 mcs)**.

NEW—WCBS, Inc., Springfield, Ill.—Construction permit for a new FM broadcast station to be operated on **46.1 mcs.**, with coverage of 12,918 square miles; Amended re antenna changes and change transmitter location.

NEW—H. C. Winslow, Meadville, Penna. (P. O. 883 Water St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on a frequency in the **100 mcs.** band and coverage of 6,795 square miles.

NEW—The Augusta Chronicle Broadcasting Co., Augusta, Ga. (P. O. 118 7th St.)—Construction permit for a new FM (Metropolitan) broadcast station.

NEW—Silver City Crystal Co., Meriden, Conn. (P. O. 468 Center St.)—Construction permit for a new FM broadcast station to be operated on Channel #28 **(93.5 mcs.)** and coverage of 8,064 square miles.

NEW—Everett L. Dillard tr/as Commercial Radio Equipment Co., Washington, D. C. (P. O. 1319 F St., N. W.)—Construction permit for a new FM (Metropolitan) broadcast station.

NEW—Elm City Broadcasting Corp., New Haven, Conn. (P. O. 1110 Chapel St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #22 **(92.3 mcs.)** with coverage of 2,240 square miles.

NEW—Richard Field Lewis, Jr., Winchester, Va. (P. O. Kerr St.)—Construction permit for a new FM (Rural) broadcast station to be operated with coverage of 22,200 square miles.

NEW—Community Broadcasting, Inc., Wheeling, W. Va. (P. O. 608 Woodlawn Ave., Beckley, W. Va.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated with coverage of 9,950 square miles.

NEW—United Broadcasting Co., Akron, Ohio—Construction permit for a new FM broadcast station to be operated on **47.1 mcs.**, with coverage of 4,500 square miles; Amended to request a metropolitan station, change antenna system and transmitting equipment.

NEW—Harry M. Bitner, Manchester, N. H. (P. O. % WFEA, Carpenter Hotel)—Construction permit for a new FM (Metropolitan) broadcast station to be operated with coverage of 8,820 square miles.

TELEVISION APPLICATIONS

NEW—E. Anthony & Sons, Inc., Boston, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel #2 **(60-66 mcs.)** with ESR of 3706; Amended: to change frequency to Channel #3 **(60-66 mcs.)**, ESR to 1515, specify studio location, and change transmitter location.

NEW—The Times-Mirror Company, Pasadena, Calif.—Construction permit for a new experimental television broadcast station to be operated on **480-920 mcs.**, with power of 500 watts for aural and 1,000 watts for visual.

NEW—WBEN, Inc., Buffalo, New York (P. O. Hotel Statler)—Construction permit for a new commercial television broadcast station to be operated on Channel #3 **(60-66 mcs.)** with ESR of 1340.

W2XCS—Columbia Broadcasting System, Inc., New York, N. Y.—License to cover construction permit (B1-PVB-110 as modified) which authorized a new experimental television broadcast station.

NEW—WHP, Inc., Harrisburg, Penna. (P. O. Telegraph Bldg.)—Construction permit for a new commercial television broadcast station to be operated on Channel #1 **(50-56 mcs.)** with ESR of 1110.

MISCELLANEOUS APPLICATIONS

WMRW—Textile Broadcasting Co., area of Greenville, S. Car.—License to cover construction permit (B3-PRE-447) which authorized a new relay broadcast station.

W9XEV—Evansville on the Air, Inc., Glenwood, Ind.—Modification of construction permit (B4-PEX-52 as modified which authorized a new developmental broadcast station) for extension of completion date.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Arch Lift Shoe, Inc., Providence, Rhode Island, and its officers, Arnold C. Messler and Mattie C. Messler, are charged in a complaint with disseminating false advertisements concerning their Arch Lift Shoes and a removable flexible insole support designated Step-On-It. (5402)

Lanzette Laboratories. A complaint has been issued charging Edward A. Hoke, trading as Lanzette Laboratories, 218 South Wabash Avenue, Chicago, with disseminating false advertisements concerning a depilatory device he sells under the name Lanzette. (5401)

STIPULATIONS

During the past week the Commission announced no stipulations.

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist order last week:

Bonded Products Corp.—An order to cease and desist from misrepresenting the efficiency and the benefits to be derived from the use of a coal combustion device designated "Burn-Rite" has been issued against Bonded Products Corp., 1182 Broadway, New York, and its officers, A. Edward Beldner and Joseph Blau. The device is designed to be installed in a coal or coke furnace door and to operate so as to spray pre-heated air over the top of the furnace fuel bed. (5369)

FREER RENOMINATED CHAIRMAN

The renomination of Robert E. Freer, of Ohio, for third term as a member of the Federal Trade Commission, by President Truman, has been confirmed by the United States Senate. Mr. Freer, a Republican, was first named as a member of the Commission by President Roosevelt in 1935.

Commissioner Freer was born in Madisonville, Ohio, in 1896, attended Ohio State University, George Washington University, Cincinnati Law School of the University of Cincinnati, and Washington College of Law. He is a member of the Order of the Coif and Phi Alpha Delta Law Fraternity.

Serving in France in the First World War, he later was a major of Infantry, U. S. National Guard, Ohio, and Officers Reserve Corps. After private law practice in Cincinnati he came to Washington in 1925 as attorney for the Interstate Commerce Commission. Subsequently he was attorney for Federal Coordinator of Transportation Eastman and special counsel for the United States Senate Committee on Interstate Commerce.

Commissioner Freer has been professor of law and instructor in economics at colleges and universities in Cincinnati and Washington, and national president of the Federal Bar Association, a national organization of attorneys in the Government service. He is a trustee of George Washington University.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 48, November 30, 1945

FCC TELEVISION RULES RELEASED

Late yesterday afternoon (Nov. 29) the FCC issued its "RULES GOVERNING TELEVISION BROADCAST STATIONS" with "Classifications of Television Stations and Allocations of Frequencies."

These are published in a special Information Bulletin which is distributed with this issue of the NAB Reports.

PETRILLO EXTENDS FM BAN

In what appears to be an extension of the recent ban placed by the American Federation of Musicians, on AM-FM dual broadcasting, the *International Musician*, official publication of AFM, has published the following notice to all locals, signed James C. Petrillo, President, AF of M:

"All locals are forthwith advised that the American Federation of Musicians has not been able to consummate an agreement with the radio networks, namely National Broadcasting Company, American Broadcasting Company, Columbia Broadcasting System and the Mutual Broadcasting System, covering the services of musicians for FM (frequency moduation) broadcasting.

"Under the circumstances, the networks have been advised that they are not permitted to feed chain programs played by orchestrs on AM stations (amplitude modulation or the present standard method of broadcasting) to FM stations.

"Therefore, the locals are further advised that the above order, which applies to the network stations, is equally applicable to local broadcasting stations. This means that local musical programs, emanating from local AM stations, are not permitted to be duplicated on FM stations, regardless of whether the AM and FM stations are operated under the same ownership.

"However, this is not to be construed as interfering with the rights of a local to make a separate contract for the services of musicians for FM broadcasting exclusively.

"Kindly govern yourselves accordingly."

POLITICAL BROADCASTS RAISE CENSORSHIP QUESTION

A hearing has been scheduled by the FCC on the application for license renewal of WHLS, Port Huron, to ascertain whether elements of censorship were involved in that station's cancellation of a political broadcast recently.

Scheduled broadcasts of Carl E. Muir, a candidate for re-election as city commissioner, were cancelled when the station refused its facilities, contending that the script contained remarks unsuitable for broadcasting.

Other political candidates complained that WHLS subsequently cancelled broadcasts scheduled by two other candidates for the city commission, and as a result of the Muir incident, the station refused the facilities of WHLS to any candidate, it is contended.

WOOD BILL WOULD HARNESS COMMENTATORS

Legislation requiring radio broadcasters to distinguish between statements of news and opinions was introduced Wednesday (21) by Chairman Wood of the House Committee investigating Un-American Activities.

The measure (HR 4775) also would require radio stations to have a legal agent in the District of Columbia and in all states within 500 miles of the point of broadcast. The agent would be subject to legal prosecution by persons claiming grievances against the station.

Federal District Courts would have jurisdiction to prevent violations of the legislation.

The bill also would require stations to "by full and proper announcements describe and identify each and every person regularly engaged in broadcasting opinions or propaganda over said station."

Elsewhere in the REPORTS are published the comments of the New York *Times* radio editor on the Wood bill.

Complete text of the bill which was referred to the Committee on Interstate and Foreign Commerce follows:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That on and after the approval of this Act, every radio broadcasting station operating by virtue of any right, franchise, or license from the United States Government shall—

"(a) By proper and frequent announcements clearly separate and distinguish programs consisting of news items from those programs based upon, or consisting of, personal opinion or propaganda.

"(b) By full and proper announcements describe and identify each and every person regularly engaged in broadcasting opinions or propaganda over said station, and to keep on file for public inspection a sworn statement of facts, setting forth the place of birth, name, nationality, and political affiliation of such persons using the station for such broadcasts.

"(c) Publish and keep on file with the Federal Communications Commission, for public inspection, just and reasonable rules and regulations governing the broadcasting of programs of every description, and any person aggrieved thereby may apply to a United States district court having jurisdiction of the parties for an order restraining maintenance of such rules and regulations as the court may find to be unjust or unreasonable.

"(d) Nominate and maintain in the District of Columbia and in each State within five hundred air-line miles of said station a legal agent upon whom legal process may be served and such legal process may be made returnable in any local or United States district court having jurisdiction of the subject matter to be litigated. The names and addresses of all legal agents designated pursuant to

(Continued on next page)

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1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations;* Helen A. Cornelius, *Asst. Director of Broadcast Advertising;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Special Counsel;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Barry T. Rumple, *Director of Research;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

this section shall be filed with the Federal Communications Commission and kept open for public inspection.

"Sec. 2. The United States district courts shall have jurisditcion to restrain violations of any of the provisions of this Act."

CIO OPPOSES WOOD BILL

President Philip Murray of the Congress of Industrial Organizations on Monday (26) sent the following letter to Rep. Clarence Lea, chairman of the House Interstate and Foreign Commerce Committee, on HR 4775, a bill to regulate and control radio news and opinion broadcasting. The letter reaffirms CIO opposition to radio censorship and asks time for a representative of the CIO to testify on the bill.

"Your committee on Interstate and Foreign Commerce has a bill (HR 4775) now before it undertaking to regulate and control certain aspects of radio news and opinion broadcasting.

"The CIO, which has frequently been the victim of utterly unfair and biased radio interpretation, is unalterably opposed to attempts to censor or gag radio broadcasts. Our experience with such attempted gags as have been applied by radio stations in the past has led us to this policy, which we propose to maintain now and in the future.

"We are also unalterably opposed to any step that would require an invasion of the rights of radio commentators as citizens, while we recognize that their responsibility to the public must be safeguarded at all times.

"As representative of more than six million Americans, who share with other Americans the ownership of the air frequencies and who have therefore a share in the responsibility which is owed by the radio industry to the public, the CIO is most anxious to present its views on these issues before your committee and before other responsible public bodies.

"May I request of your committee that time be granted for a representative of the CIO to appear on this important public question?"

NEW MEXICO RADIO SALES TAX CONTINUED

Hearing by a three-judge Federal Court on a petition of five New Mexico radio stations for a temporary injunction restraining the State from collecting a 2 per cent sales tax on broadcasting receipts last week was ordered continued in Albuquerque the latter part of next January.

At that time the court is expected to determine finally on both a temporary and permanent injunction.

Pending final settlement of the case, the State asserted it would not press claims for collection of taxes.

Prior to the January proceedings the court will rule on a question of jurisdiction, raised today by the State. Counsel of both sides were instructed by the court to submit within 10 days written briefs in support of their arguments as to whether the Federal Court, or the state court should take jurisdiction in the case.

The question of jurisdiction, originally given to Federal Court on ruling by U. S. District Judge Colin Neblett, was raised by assistant attorney general who contended that recent rulings in similar suits by State District Judge William J. Barker were applicable, and the case should be tried in state court.

Counsel for the radio companies argued that the stations were operating in interstate commerce and the case should properly be tried in Federal Court.

The stations involved are at Hobbs, Carlsbad, Roswell, Las Cruces and Tucumcari.

Sitting with Judge Neblett at today's hearing were Judge Sam G. Bratton of Albuquerque, who presided, and Judge Alfred T. Murrah of Oklahoma City, both of the U. S. Court of Circuit Appeals.

The State declined a suggestion of the court that arguments be heard today on a permanent injunction. Bigbee asserted that the State had had insufficient time to prepare for technical questions raised.

OVER 1300 APPLICATIONS AT FCC

An FCC release dated Friday (23) states that over 1300 applications for new radio stations are on file with the Federal Communications Commission.

The Commission said 463 are for new standard (AM) stations, 707 for frequency modulation (FM) stations, and 142 for television stations.

The Commission said about 50 applications for AM stations will be granted within two weeks for communities which have no stations.

The release follows:

"There are presently on file with the Federal Communications Commission 463 applications for new standard (AM) broadcast stations and 211 applications for changes in existing standard (AM) facilities, or a total of 674 AM applications. There are likewise on file 707 FM applications and 142 television applications.

"On October 23, 1945, the Commission designated 231 of the AM applications for hearing in 61 consolidated proceedings. It has since consolidated nine more applications requiring four additional hearings. Hearing dates for these cases have been set on a staggered basis over a period of four months commencing November 19, 1945. Findings in these proceedings will be announced as promptly after the hearings are concluded as the complexities of the cases and limitations of staff will permit.

"On November 14, 1945, the Commission placed in its pending files another group of 19 AM applications involving "breakdowns" of existing clear channels and notified the interested parties that their applications would not be further processed until after the clear channel hearing (Docket No. 6741), scheduled to commence on January 14, 1946, has been concluded.

"The Commission proposes to process the remaining 415 AM applications (which have not been heretofore designated for hearing nor placed in the pending file) with as much dispatch as public interest will permit. Action will be taken during the next two weeks on some 50 applications from communities which have no stations at present.

"Among the AM applications on which no action has yet been taken a considerable number can probably be granted without a hearing. Where it develops, however, upon a detailed examination that a hearing is necessary, an effort will be made, wherever possible, to sandwich the hearing dates in among the groups to be heard during the next four months.

"The Commission has already made 174 conditional FM grants and designated 11 FM applications for hearing. The remaining 522 applications for FM stations are being rapidly processed and further grants will be made and others consolidated for hearing from week to week.

"On November 21, 1945, the Commission issued a pub-

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lic notice setting forth its allocation plan and other basic rules for television in the lower bands. The text of the rules and regulations themselves and the standards of good engineering practice based upon these regulations will be issued in the immediate future. Since the number of applications in twelve metropolitan areas exceeds the allotted frequencies, it will be necessary to designate 80 applications from these areas for consolidated hearings. Orders to that end will be announced as soon as the final rules and standards are promulgated. The remaining 62 television applications will be processed with due diligence."

U. S. PROPOSALS SUBMITTED AT BERMUDA CONFERENCE

American delegates to the Anglo-American Telecommunications Conference in Hamilton, Bermuda, submitted proposals on Monday (26) to continue direct radio-telegraph circuits connecting the United States with Australia, Bermuda, Egypt, India and New Zealand.

Unless the governments agree to their continuance these circuits would be terminated in six months and traffic to the United States would resume movement over the British Empire system through London and Canada.

The Americans also proposed establishment of new direct circuits between the United States and Ceylon, Singapore, Hongkong, Jamaica, Palestine and South Africa. They agreed to discontinuance of the circuits connecting the United States with Gambia on the Gold Coast of Africa and British Guiana. The British took the proposals under advisement.

State Department officials disclosed Wednesday (28) they were supporting a move to establish direct telecommunications between the United States and Saudi Arabia.

One official, recently returned from Saudi Arabia, said he and his colleagues were watching "with keen interest" negotiations proposing such a step now being discussed at the current Communications Conference in Bermuda.

Britain's Cable and Wireless Ltd. now has a virtual monopoly in Saudi Arabia. The resolution now being discussed at Bermuda would permit Saudi Arabia to establish its own sending and receiving station, thus speeding communications with the United States.

FCC Chairman Paul A. Porter, attending the conference as vice chairman of the American Delegation, (NAB REPORTS, p. 550) listed three fundamentals of the American policy in addressing the delegates. These three points were:

(1) "The maintenance of direct circuits from the United States to every point in the British Commonwealth of Nations where mutually acceptable terms and arrangements can be developed.

(2) Tolls must be reduced and kept at levels that will maintain a heavy flow of traffic on radio and cable systems.

(3) The United States proposed that artificial and historical restraints on communications to all areas should be eliminated. Direct channels of communication should be extended to all countries and areas for which need can be demonstrated and no nation should undertake through exclusive arrangements to prevent other nations from enjoying the privileges of direct communications.

NEW TIME BROADCASTING SERVICE PROPOSED

The Electronic Time, Inc. of New York has filed a supplementary statement with the Federal Communications Commission in connection with their application for a construction permit for a new developmental broadcast station to be operated in the portion of the spectrum between 25 and 30 mc with an output power of 2,000 watts. The applicant proposes to erect this station on the roof

(Continued on next page)

MEETINGS AHEAD

Committees and Board

Farm Program Directors Committee	Dec. 4-5, 1945	Stevens Hotel	Chicago, Ill.
Special Industry AFM Committee	Dec. 6, 1945	Hotel Statler	Washington, D. C.
Employee-Employer Relations Committee	Dec. 7, 1945	NAB Headquarters	Washington, D. C.
Program Managers Organization Committee	Dec. 10-11, 1945	BMB Board Room	New York, N. Y.
Finance Committee	Dec. 13-14, 1945	NAB Headquarters	Washington, D. C.
Code Committee	Dec. 17-18, 1945	Palmer House	Chicago, Ill.
FM Executive Committee	Dec. 28, 1945	Palmer House	Chicago, Ill.
Board of Directors	Jan. 3-4, 1946	Roosevelt Hotel	Hollywood, Calif.

District Meetings

16th District	Jan. 7-8, 1946	Roosevelt Hotel	Hollywood, Calif.
15th District	Jan. 10-11, 1946	Fairmont Hotel	San Francisco, Calif.
17th District	Jan. 14-15, 1946	Olympic Hotel	Seattle, Wash.
10th District	Jan. 25-26, 1946	Fontenelle Hotel	Omaha, Nebr.
14th District	Jan. 28-29, 1946	Brown Palace	Denver, Colo.
13th District	Jan. 31-Feb. 1, 1946	Baker Hotel	Dallas, Texas
12th District	Feb. 4-5, 1946	Tulsa Hotel	Tulsa, Okla.
6th District	Feb. 7-8, 1946	Peabody Hotel	Memphis, Tenn.

of the Lincoln Building at 60 East 42nd Street, New York City, for service in the metropolitan area. According to the proposal, voice announcements of the correct time would be made at frequent intervals together with condensed weather reports, brief news announcements and sports scores.

It is proposed to manufacture single frequency receivers tuned only to the proposed broadcast station. It is estimated that a portable unit about ½ the size of a package of cigarettes will be available to the public for about five dollars, a desk model receiver for the same price and a more elaborate home receiver for ten dollars. Revenue would be derived for the operation of a broadcast station from a royalty collected on the receivers sold and commercial sponsorship of the announcements to be broadcast over the station.

According to the supplementary statement filed with the Commission on behalf of the applicant, many sponsors of radio time have expressed interest in the proposed new service. It is estimated that 400,000 of the special midget receivers could be sold in the New York metropolitan area.

The FCC Allocation between 25 and 30 mc provides 24 relay broadcast channels, 10 provisional and experimental channels along with assignments to several other services including amateur. The allocation also stipulates that power radiated on these frequencies shall be limited internationally to 500 watts.

PROPOSES WORLD WIDE FREE NEWS

William L. Chenery, publisher of *Collier's Weekly*, proposed Wednesday (28) before the Over-seas Press Club in New York the creation of a non-political world free news organization, composed of correspondents of newspapers, magazines and radio of all nations, as an instrument through which the correspondents could exert their combined weight against any censorship.

He declared that in his opinion "There is nothing better calculated to prevent abuses and tryannies than the unfettered right of journalists to investigate freely and to report and publish the facts of any situation."

The only legitimate reason for any censorship, he added, is wartime censorship for security reasons.

45 FM GRANTS ANNOUNCED

Forty-five additional grants of new FM stations were announced on Friday (23) by the Federal Communications Commission. Eleven applications for the City of Boston were designated for hearing.

This brings the total number of conditional grants up to 174, leaving 522 applications still to be acted upon, the Commission states.

A release from the Commission says:

"These 45 grants involve a total of $1,618,784. Previous grants amounted to $6,990,432, making a total of $8,609,216 estimated cost of stations.

"The effect of these conditional grants is to announce the fact that the Commission has examined the qualifications of the respective applicants, has been satisfied with respect thereto, and has made available a channel for each grantee. The Commission will now examine each application for its engineering details, and in each individual circumstance a grantee may be requested to file within a period of 90 days of such request such additional engineering and other data as may be necessary.

"Under this procedure grantees are enabled to proceed promptly with their preliminary plans for obtaining certain items of equipment, programming and other details necessary to the establishment of their proposed stations. The proposals of each grantee relating to transmitter power and antenna height are still under review, and each will be notified if any further data is necessary in this connection.

"The 11 applicants competing for the stations in Boston are: Bristol Broadcasting Co., Inc.; Columbia Broadcasting System; Fidelity Broadcasting Corp.; Matheson Radio Company, Inc.; The Northern Corp.; The Yankee Network, Inc.; Unity Broadcasting Corp. of Mass.; Templeton Radio Mfg. Corp.; Mass. Broadcasting Co.; Harvey Radio Laboratories, Inc., and Raytheon Manufacturing Co."

Following is a list of the grants:

City	*Applicant*	*Interest in Standard Station*	*Type of FM Station*
	CALIFORNIA		
Marysville	Sacramento Valley Broadcasters	—	Metropolitan, possibly Rural
Ontario	The Daily Report, a partnership consisting of Mrs. Jerene Appleby Harnish, et al	—	Community
San Diego	Airfan Radio Corp. Ltd.	KFSD	Metropolitan
	ILLINOIS		
Harrisburg	Harrisburg Broadcasting Co.	WEBQ	Metropolitan, possibly Rural
	INDIANA		
Columbus	Syndicate Theatres, Inc.	—	Metropolitan
	MASSACHUSETTS		
Brockton	Cur-Nan Company	—	Community
Fall River	The Fall River Boradcasting Co. Inc.	WSAR	Metropolitan
Greenfield	Recorder Publishing Corp.	—	Community
Greenfield	John W. Haigis	WHAI	Community
Lawrence	Hildreth & Rogers Co.	WLAW	Metropolitan
New Bedford	Bristol Broadcasting Co. Inc.	WOCB	Metropolitan
North Adams	James A. Hardman	—	Metropolitan
Pittsfield	Monroe B. England	WBRK	Metropolitan
	MICHIGAN		
Benton Harbor	The Palladium Publishing Co.	—	Metropolitan
Dearborn	Herman Radner	WIBM	Community
Muskegon	Ashbacker Radio Corp.	WKBZ	Metropolitan
Port Huron	The Times Herald Co.	—	Metropolitan

(Continued on next page)

City	*Applicant*	*Interest in Standard Station*	*Type of FM Station*
	MINNESOTA		
Rochester	Southern Minn. Broadcasting Co.	KROC	Metropolitan
	NEW HAMPSHIRE		
Claremont	Claremont Eagle, Inc.	—	Metropolitan
	NORTH CAROLINA		
Wilmington	Wilmington Star-News Co.	—	Metropolitan
	OHIO		
Alliance	Review Publishing Co.	—	Metropolitan
Ashland	Beer and Koehl	—	Metropolitan, possibly Rural
Athens	The Messenger Publishing Co.	—	Metropolitan
Fostoria	Laurence W. Harry	—	Community
Fremont	Robert F. Wolfe Company	—	Community
Hamilton	The Fort Hamilton Broadcasting Co.	WMOH	Community
Newark	The Advocate Printing Co.	—	Metropolitan
Toledo	Unity Corp., Inc.	—	Metropolitan
Warren	Nied and Stevens	WRRN	Community
	PENNSYLVANIA		
Altoona	The Gable Broadcasting Co.	WFBG	Metropolitan
Bradford	Bradford Publications, Inc.	—	Metropolitan
Harrisburg	The Patriot Company	—	Metropolitan
Harrisburg	WHP, Inc.	WHP	Metropolitan
Johnstown	WJAC, Inc.	WJAC	Metropolitan
Reading	Hawley Broadcasting Co.	—	Metropolitan
Scranton	Scranton Broadcasters, Inc.	WBGI	Metropolitan
Sunbury	Sunbury Broadcasting Corp.	WKOK	Metropolitan
Wilkes-Barre	Louis G. Baltimore	WBRE	Metropolitan
Williamsport	WRAK, Inc.	WRAK	Metropolitan
	SOUTH CAROLINA		
Greenwood	Grenco, Inc.	WCRS	Metropolitan
	TENNESSEE		
Clarksville	William Kleeman	WJZM	Metropolitan
	TEXAS		
Temple	Bell Broadcasting Co. Inc.	KTEM	Community
	WEST VIRGINIA		
Morgantown	W. Va. Radio Corp.	WAJR	Community
	WISCONSIN		
Green Bay	Green Bay Newspaper Co.	—	Metropolitan
Wausau	Record Herald Company	—	Metropolitan

MORE SET MAKERS FAVOR FM RENUMBERING

Additional replies to the FM Department's poll to determine the reaction of manufacturers to FCC's recent favorable action on NAB's petition to renumber the FM bands (NAB Reports, p. 545) have been received by Robert T. Bartley, Director of NAB's FM Department.

Bond Geddes, executive vice president of RMA, has informed NAB that a poll is also being conducted by that Association and replies show an "overwhelming preference for channel numbering."

The expressions received by NAB since last week's listing follows:

THE CROSSLEY CORPORATION IS VERY MUCH IN FAVOR OF MARKING DIALS ACCORDING TO NEW CHANNEL NUMBERS SUGGESTED IN YOUR TELEGRAM AND WILL DO SO ON FIRST SETS PRODUCED.

Mr. C. G. Felix, The Crossley Corp.

RETEL OUR PREFERENCE IS TOWARDS CHANNEL NUMBERS HOWEVER IF MAJORITY GOES TO MEGACYCLES WE SHALL HAVE TO DO LIKEWISE. IT WOULD GREATLY AID US TO RECEIVE AN EXPRESSION FROM BROADCASTERS AS TO WHEN THEY WILL START BROADCASTING WITH ADEQUATE POWER ON THE HIGHER FM ALLOCATIONS.

Mr. D. E. Foster, Vice Pres., Majestic Radio & Television.

WE SHALL CONFORM TO STANDARDS ADOPTED BY RMA. QUESTIONNAIRE NOW IN CIRCULATION ENGINEERING ACTION BY RMA TAKES PLACE DECEMBER 5.

Mr. D. D. Israel, Emerson Radio and Phonograph.

REURTEL OUR PRESENT INTENTIONS ARE TO CALIBRATE FM RECEIVER DIALS IN MEGACYCLES.

Mr. R. H. Dreisbach, Magnivox Co.

(Continued on next page)

OUR STAND IN RESPECT TO THE PROPOSED METHOD OF MARKING BROADCAST RECEIVER DIALS FOR FM RECEPTION IS TO USE THE CHANNEL NUMBERING METHOD AS PROPOSED BY RMA AND NAB. THE SUGGESTED STARTING NUMBER OF 200 AND PROGESSING UP WITH FREQUENCY IN OUR OPINION WILL RENDER THE BEST SERVICE TO THE SET USER.

R. M. Dougherty, International Detrola Corp.

IT IS OUR INTENTION TO USE THE DIAL NUMBERS AS CHANNELS RATHER THAN MEGACYCLES.

G. W. Thompson, Noblitt-Sparks Industries, Inc.

WHILE WE BELIEVE THE IDEA OF ASSIGNING CHANNEL NUMBERS IS MORE DESIRABLE THAN INDICATING SAME BY MEGACYCLES WE ALSO BELIEVE THAT AN EXTENSIVE EDUCATIONAL PROGRAM SHOULD BE NECESSARILY EXTENDED TO THE PUBLIC BEFORE ACCEPTANCE OF SAME WOULD BE PRACTICAL.

S. Surrey, Telicon Corp.

WE HAVE NO OBJECTION TO THE USE OF CHANNEL NUMBERS. MAY BE ADVISABLE TO ABBREVIATE THEIR NOTATION ON DIALS BE ELIMINATION OF THE FIRST DIGIT.

W. L. Dunn, Belmont Radio Corp.

REGARDING FM CHANNEL DESIGNATIONS WE ARE OF THE OPINION THAT CHANNEL NUMBER DESIGNATIONS BE USED.

R. Briske, Philmore Mfg. Co.

WE HAVE NO STRONG PREFERENCE FOR ANY PARTICULAR MARKING SYSTEM BUT FEEL THAT IT SHOULD BE ARBITRARY. WE ARE AWAITING THE OUTCOME OF THE RMA STUDIES BEFORE ADOPTING ANY SYSTEM FOR OUR OWN USE.

P. S. Christaldi, Allen B. Dumont Laboratories.

WE WILL BE MOST HAPPY TO GO ALONG WITH THE GENERAL CONSENSUS OF OPINION ON THIS MATTER.

J. S. Holmes, Warwick Mfg. Corp. (Clarion)

WE ARE NOW USING THE FREQUENCY MARKING AND I WOULD HATE TO SEE US DEPART THEREFROM.

W. A. Ready, National Co.

ANA TO HAVE RADIO COUNCIL

Consistent with an announced desire to supply full information to its members on all developments in radio, including network policies, union problems and governmental regulations as well as other phases of the industry, the Association of National Advertisers at its 36th annual meeting held in New York, Nov. 18-20 voted in approval of a recommendation that ANA establish a Radio Council which will operate as a separate division of the Association.

This Council will operate under the Executive Committee of ANA and will serve in providing a coordinated approach to problems previously handled on an individual basis by advertisers. ANA states that a competent radio specialist will head up the activities of the Council.

AP CHANGES BY-LAWS

At a meeting in New York, Wednesday (28), members of the Associated Press amended the Association's by-laws to eliminate consideration of competitive factors in voting upon applicants for membership.

A Federal District Court, whose decree was affirmed by the Supreme Court, ruled that the A.P. in voting on applications for membership, must disregard possible competitive effects on existing members.

The Board of Directors, in its report today, said of the decision: "Individually, the Board as laymen desire to record their unanimous belief that the decision of both the lower court and that of the Supreme Court sustaining it constitute an unmistakable assumption of legislative powers by the Judiciary.

"The Associated Press is not a monopoly nor does it tend to become a monopoly. What the Associated Press was charged with was that its produce is so superior and that its service is essential to a successful newspaper—and on this charge it was convicted!

"The Associated Press was formed and has continued to grow throughout the years as a national cooperative news gathering and distributing organization dedicated to two purposes. First, that it gather for its members a non-partisan report of the news in the broadest sense. Second, that the members control its affairs including the selection of those to be associated in this effort.

"The Supreme Court has denied, in part at least, the second of our objectives. It becomes therefore even more vitally important that the Associated Press strengthen its form of organization that it may continue to carry out the first of these objectives with full vigor and energy."

GERALD SMITH SUIT DISMISSED

Circuit Court Judge Adolph F. Marschner on Monday (26) in Detroit dismissed without prejudice a $100,000 libel and slander suit filed against Radio Station WXYZ of Detroit by Gerald L. K. Smith, head of the America First Party.

The Court, citing four previous adjournments of the case, said that Smith had telegraphed from California asking another extension declaring that he was contesting a California court action that would bar him from speaking in certain places in that state.

The judge ruled Smith's reason insufficient.

PORTER SEES TELE TAKING OVER FROM MOVIES

Testimony before a recent secret hearing before the Senate Appropriations Committee was released on Monday (26) and revealed a prediction by FCC Chairman Paul A. Porter that television would take over the number one entertainment spot from the movies.

Porter said that he was convinced that within ten years "television will be a commonplace service to most of our larger areas, and that in another ten years you will probably have very serious competition with the motion picture industry."

PEABODY AWARDS CLOSE JANUARY 7

Athens, Ga.—Those who wish to be considered for 1945 George Foster Peabody Radio Awards are reminded that January 7, 1946, is the closing date for entries. These should be sent to Dean John E. Drewry, Henry W. Grady School of Journalism, University of Georgia, Athens.

Entries may be submitted by individual stations, networks, radio editors of newspapers and magazines, listener groups, or any person or organization wishing to direct the attention of the Peabody Board to a special program or programs. The Board in its selections will not necessarily be restricted to entries, but will consider the reports of its own listening-post committees, and may on its own initiative select a program or a station for an award. The Board also reserves the right to make more or less than seven awards, depending upon the entries and the circumstances at the time of the awards.

This year's Peabody selections will coincide with the 25th Anniversary of broadcasting and therefore will, on

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"Telling the World" Report No. 3

Station Originations in Support Victory Loan

Period — November 11-17

(Network Originations Excluded)

Treasury Salutes		2,936
Music for Millions		3,059
Sing for Victory		1,535
Diary Personalities		1,442
Crosby Record		2,647
Gibbs Record		1,236
Wayne Record		1,123
Sports Personalities Speak		2,575
Industrial Leaders Speak		2,173
Stokes Record		145
Wood Record		165
Spots	Regular Length	47,205
	2-min	1,030
	3-min	319
Programs	5-min	474
	10-min	247
	15-min	725
	25-min	12
	30-min	340
	35-min	2
	45-min	12
	55-min	2
	1 hour	93
	1¼ hours	26
	1½ hours	4
	1 hour 33-min	1
	1¾ hours	2
	1 hour 55-min	1
	2 hours	22
	2½ hours	8
	3 hours	31
	3¼ hours	10
	5 hours	2

this account, have added significance to the radio industry of this country and the world, Dean Drewry of the Grady School pointed out.

Entries this year will be considered in seven classifications as follows:

1. That program or series of programs inaugurated and broadcast during 1945 by a regional station (above 1000 watts) which made an outstanding contribution to the welfare of the community of the region the station serves.
2. That program or series of programs inaugurated and broadcast during 1945 by a local station (1000 watts or under) which made an outstanding contribution to the welfare of the community the station serves.
3. Outstanding reporting and interpretation of the news.
4. Outstanding entertainment in drama.
5. Outstanding entertainment in music.
6. Outstanding educational program.
7. Outstanding children's program.

The Peabody awards are designed to recognize the most disinterested and meritorious public service rendered each year by the broadcasting industry, and to perpetuate the memory of George Foster Peabody, benefactor and life trustee of the University, and friend of educational progress everywhere.

Final selections are made by a University of Georgia faculty committee and a national advisory board headed by Edward Weeks, editor, *Atlantic Monthly*, Boston, and will be announced early in 1946.

I.R.E. WINTER TECHNICAL MEETING AND RADIO ENGINEERING SHOW

Progress on plans for the first postwar Winter Technical Meeting and Radio Engineering Show of the Institute of Radio Engineers at the Hotel Astor, New York, January 23rd through 26th, 1946, is far advanced, and all indications point to one of the largest as well as one of the most significant gatherings of this type ever held, according to Mr. Edward J. Content, Chairman of the Committee arranging for the meeting.

Last year, more than 3,000 members were present and reports this year indicate a substantially greater attendance. Several features in addition to the major highlights of the meeting are on the schedule of events.

In preparation for the Radio Engineering Show, it has been reported that 124 exhibitors have already taken the total of 150 booths originally planned, including three theatre booths, and that efforts are now being made to obtain additional space to accommodate a large list of further exhibitors. This timely and significant show is scheduled to open at 4:00 p. m., Wednesday, January 23rd, and will close promptly at 2:00 p. m., Saturday, January 26th.

The annual banquet, on Thursday, January 24th, the social highlight of the IRE year, will have places for 2,500 members and guests. Dr. Frank B. Jewett, President of the National Academy of Sciences, will be the principal speaker for the evening, and Mr. Edgar Kobak, President of the Mutual Broadcasting System, will be the toastmaster.

CBC FORMULATING FM POLICY

Following informal conference on November 20 between officials of the Canadian Broadcasting Corporation and the Canadian Association of Broadcasters, the Directors of CAB met with the Board of Governors of CBC on November 28 at the regular board meeting in Ottawa. Joseph Sedgewick, general counsel of the Canadian Association of Broadcasters, submitted a brief outlining the views of the CAB concerning privately operated FM stations in Canada. The CAB brief contained the following definite recommendations:

1. *Channels Recommended for FM*

The Canadian Association of Broadcasters recommends that FM in Canada should be assigned to the same 100 channels set aside for this purpose in the United States (88 to 108 mcs.). Twenty of these channels should be reserved for educational broadcasting as in the United States (88 to 92 mcs.). Since much of the design and development of broadcasting equipment and receiving sets originates in the United States, it would be most economical and advantageous for Canada to adopt similar frequencies.

2. *International Agreement with United States*

The Canadian Association of Broadcasters recognizes the necessity of an international agreement with the United States concerning the allocation of frequencies to stations adjacent to both sides of the border. In this connection, it is our opinion that Canada can afford to be generous to the United States without working any hardship on the listening habits of our Canadian citizens. With the same number of frequencies to serve a twelve million population as are available to the United States to serve one hundred and fifty million, it should be possible to so stagger the frequencies in Canada in a manner to avoid any conflict of interest. We recommend that any such agreement should, of course, protect the allocation plan as set forth in Clause 7 of our recommendations.

3. *FM Licensees*

The Canadian Association of Broadcasters recommends that present AM operators should be granted FM licenses on application. This is in line with the recent Board resolution, and assumes that additional licenses to others not holding AM licenses may or may not be granted as the Board sees fit, and depending on whether or not it is in the public interest.

4. *Simultaneous Programmes*

The Canadian Association of Broadcasters recommends that the simultaneous broadcasting of the same programme on FM and AM should be authorized. This authority should be permissible and not obligatory, since stations may wish at a future date, when audiences have been built up to a reasonable degree, to broadcast some special programmes to take advantage of the high fidelity features of FM transmission. Only by complete freedom of programming with respect to duplication can the frequency modulation system with its many advantages in addition to high fidelity be expected to expand to its full development in the shortest possible time.

5. *Call Letters*

The Canadian Association of Broadcasters recommends that the call letters for FM stations should consist of four letters with no figures. To avoid confusing the public, FM station call letter announcements should not be aired simultaneously on AM transmitters.

6. *Satellite Transmitters*

The Canadian Association of Broadcasters recommends that FM stations should be encouraged to establish automatic satellite transmitters to cover small centers of population or "holes" in their normal service area which might occur due to the peculiarities of FM transmission in some districts. The use of a low-powered main transmitter in conjunction with one or more satellites should also be permitted to cover the normal service area defined in Section 7 as an alternative to a single high-power transmitter if found to be more economical by the licensee. In both these cases, satellites should not be established outside the normal trading area as defined in section 7, and their power and antenna height should be based on the same conditions.

(A satellite transmitter is defined as a small transmitting plant operating on the same frequency and synchronized with the main transmitter, and controlled by either a radio link or a wire line connection.)

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7. *Allocation Policy*

(Whenever we refer in this section to the licensing authority, we mean the Department of Transport, Radio Control Division.)

The Canadian Association of Broadcasters recommends that the policy to be adopted on the question of maximum power, antenna height, and resulting service area should be democratic in principle and arranged to serve the greatest public interest.

We have studied the allocation system proposed in the United States for FM and, while we can see the need for some of its provisions in Canada, we do not think it is suitable in its entirety for our use here because of the many differences in the two countries. The fundamental concept of the American plan is that signals are originated *within* population clusters rather than *without*. This results in the strongest signal where it is needed most, which is where the noise level is highest. This is desirable in any country. The arbitrary limitation of power to a certain level for community and for metropolitan stations (in Area I), however, is, in our opinion, unwise for Canada. Our population density is generally so much less than the Eastern United States that for economic reasons we cannot ever expect to have need for the number of stations possible in this area, even though we have a very large area to cover.

In our opinion, every population center capable of supporting a station should be entitled to the high signal level in their noisy business district which only a local station provides. In order to utilize the FM channels to the greatest public interest it is, therefore, necessary to restrict the interference which a station produces outside its natural wholesale area. Our proposal is, therefore, against classifying stations as metropolitan or community with arbitrary powers and service areas assigned to each class, since this arrangement is inflexible and makes difficult the handling of "in between" cases. *Instead, we recommend each population center where a station is economically possible or proposed should be studied by a committee consisting of representatives from the Dominion Bureau of Statistics, the Association of Canadian Advertisers, the Canadian Association of Advertising Agencies, the CBC, and the CAB, and a definite normal wholesale service area determined for that center.* This would then be converted to effective power and antenna height maximums necessary to obtain the urban signal strength of 1000 microvolts per meter, and rural signal strength of 50 microvolts per meter within that service area. This effective power and antenna height combination would then be announced by the licensing authority publicly as a maximum for the center and an opportunity given for public hearings of objections to the figure chosen.

Once the ceiling for effective power and antenna height is fixed for each given center, all stations licensed in that center, irrespective of whether they are publicly or privately owned, should be permitted to go to the maximum if they so desire.

If a station does not build up to the maximum set by the licensing authority for the center at first, he should be permitted and, in fact, required to do so within a reasonable time. The date for full occupancy should not be set until we have had five years to study the growth of FM broadcasting. This requirement means arranging stations on the same and adjacent channels so that the official service area for the center is protected rather than the actual power being used.

If later events show that the figure chosen for the center had been set too high or too low, it could be changed by action of the proposed committee, but all stations in the center would be allowed to enjoy, or be restricted equally to the new limit.

This system would make radio really democratic and make it possible for all broadcasters in a given market to compete on an equal footing so far as technical coverage is concerned. Furthermore, this policy accomplishes this end without sacrificing but actually by improving the quality of the signal. *This shifts the competitive emphasis away from the difference in coverage areas which have always been with us on AM, and puts the accent squarely on programming and service to the Canadian public—where it rightfully belongs.*

The reason for advising against the arbitrary service area size used in the United States is due to the fact that there are many localities in the Prairie Provinces of Canada where outlying rural population must be served by the station at the population center, and any arbitrary limit to be applied to Canada as a whole would either be too low for communities in the Prairie Provinces or too high for some of our Eastern stations where the density of population is greater. Licensing a number of rural type stations might be thought to answer the question of service generally, but experience has shown that rural people like to consider themselves in the orbit of their main population center, rather than that of a rural station which has to divide its time between the interests of groups of rural dwellers who are socially connected to very different urban centers.

By this, we do not mean that rural type stations should not be licensed for FM, but only where adequate service is not possible by nearby urban stations either by the use of high power or a number of satellite transmitters. We agree with the United States policy of generally avoiding licensing of rural stations so that their service area covers metropolitan districts already serviced, and also their policy of not licensing any rural stations in sections where the metropolitan centers are so close as to provide adequate rural coverage throughout the entire district.

To sum up, we recommend only two types of FM stations —one, urban, and two, rural. The term "urban" is considered to include any community or population cluster capable of economically supporting a station. Power and antenna height will be set with reference to the normal service area deemed reasonable for the district and allowed to all stations in the district.

Following the November 28 joint meeting. the Board of Governors of CBC agreed in principle to the CAB proposals and announced their intention to process the 60 FM applications now on file as soon as possible. The Board also asked that others who intend to apply for FM broadcasting facilities do so immediately.

Informed sources in Canada were of the opinion that privately operated commercial FM broadcasting will receive the "go ahead" signal in Canada in the near future. However, the exact terms and conditions under which the FM licenses will be issued are not known at this time.

LIPPMANN ADDRESSES ANA ON FREE ENTERPRISE

Addressing the 36th annual meeting of ANA held November 27 in New York, Walter Lippmann, well-known columnist, cautioned American businessmen to encourage an enlightened public opinion, if they would see free enterprise survive.

Mr. Lippmann's remarks following in part:

"Anyone is deluding himself dangerously if he imagines that the businessmen who lead American free enterprise can survive successfully without considering an enlightened public policy as much a part of the business of being directors and managers as is scientific and technological research, production, financing and merchandising.

"If any one of them imagines that consideration of public policy can be treated lightly, improvised without prolonged study and consultation and self-examination, or settled by saying the hell with the New Deal, the hell with the labor unions, the hell with the Russians, the hell with the British, the hell with all foreigners, politicians, professors, theorists who do not have to meet a payroll, they are talking and acting exactly like all other governing classes who throughout history were on their way down and on their way out.

"A wise Frenchman, de Tocqueville, who himself belonged to the old aristocracy of France, once made an inquiry into the reasons why, during the revolutionary period before and after the Napoleonic Wars, the French aristocracy fell from power, except in fashionable society, while the British aristocracy not only survived but led the British nation into and through the period of Britain's

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greatest influence and prosperity. The difference was, says de Tocqueville, that the French aristocrats clung so grimly and stupidly to their privileges that they lost their power, whereas the British aristocrats gave up privileges whenever that was necessary in order to retain their power. Nothing that has ever been said, it seems to me, is so pertinent to the peculiar position of American businessmen in the years that lie ahead of them. They will need to take it to heart. But they will be able to take it to heart only if they use their heads.

"I often wonder whether American businessmen and our system of private enterprise do not have more to fear from their unwise friends than from their severest critics and their ardent opponents."

PETRILLO BAN MEANS FEWER JOBS FOR MUSICIANS

The Palo Alto, Calif., *Times* sees the Petrillo FM ban as a short sighted act that will result in fewer rather than more, jobs for musicians due to the inevitable effect the ban will have in retarding a new outlet that will demand more and more talent for its programs.

Comment of the *Times*, as it appeared in the November 3 edition of that paper, follows:

"The current opposition of the typographical union to the teletypesetter on the contention that it would mean displacing printers prompts *Editor & Publisher*, newspaper trade magazine, to recall that many years ago the same union opposed the use of the linotype machine. 'Printers thought it was going to put them out of work,' says the trade journal. 'That was around 1886, and it was only a few years later when the printers realized this machine increased production permitting larger newspapers and resulted in the employment of more printers.

"'Mr. Petrillo, head of a union in another field, is blocking the development of FM radio by ordering standby musicians when AM musical broadcasts are channeled to FM outlets. He thinks he is creating jobs for union musicians. Actually, he is retarding development of FM, saddling it with high costs impossible to meet in a new industry, whereas the normal growth of FM would certainly provide thousands of new jobs for musicians.'

"It will be recalled that other industries have had similar experiences. The advent of the automobile was opposed by men in the livery stable business. The only result they could foresee from this new industry was the possible displacement of their line of work. To be sure, it was displaced, not immediately but gradually. But where there was one livery stable in the pre-automotive age, there are hundreds of garages today. The number of gas service stations is vastly greater than the number of hay barns that supplied the old livery stables. Shop mechanics working on automobile repairs far outnumber the total of horseshoers in the heyday of the horse and buggy. And so on.

"The term 'reactionary' is a favorite on the tongue of many a union spokesman, and often quite appropriately, when referring to some employers' resistance to change. But what other word could describe more accurately the attitude of those unionists who seek to block the development of new and better mechanisms because they may mean the outmoding of some older methods of work?"

COMMENT ON WOOD BILL

Writing in the N. Y. *Times* of November 25, Jack Gould comments on the Wood Bill as follows in part:

". . . Quite properly, the radio industry has taken umbrage at this course of events. Indeed, it would be difficult to imagine how the reconstituted committee could have started off less auspiciously or afforded its critics more legitimate reason for viewing its aims with a sceptical eye.

"In the first place, it can hardly be ascribed to pure coincidence that a majority of the commentators whose scripts were sought belong to the liberal or leftist schools, or that many of these commentators had made a specific point of assailing the committee. Quite apart from one's individual political beliefs, it would seem obvious that an impartial appraisal of editorializing over the airwaves also should include those analysts subscribing to the conservative view.

Bill of Particulars

"Secondly, it is most unfortunate that the committee should announce a cure for what it believes is wrong with radio without publicly giving the details of the ailment. Before being required to accept remedial legislation both the industry and the commentators themselves are entitled to a factual bill of particulars, giving chapter and verse in place of the generalities thus far offered. This principle would seem especially applicable in a case where the overwhelming weight of evidence is against any legislation, i. e., in the right of one and all to speak their mind.

"In the last analysis, what an individual or a Congressional committee thinks of a commentator can only be a matter of opinion or taste. The true danger lies in the effort, no matter how plausibly presented, which might result in jeopardizing a commentator's freedom of expression. The commentator who proves most disturbing to the committee may very well be the commentator whom the committee should be most interested in protecting and not in threatening by use of innuendo in publicity handouts. The prospect of a Federal agency winning power to crack down on a commentator is far more to be feared than anything the commentator might say.

On the Other Side

"At the same time, however, many liberal groups and individuals actively combating the committee's encroachment on a commentator's liberty, themselves have shown a rather narrow and perhaps politically convenient conception of freedom of speech. Several got up in arms in particular because the committee had demanded copies of the scripts, with one station proudly asserting that it had refused to send them.

"Granted that the committee wanted the scripts for ultimate purposes which cannot be approved, there none the less seems no justifiable reason why the scripts should not be available to anyone on the asking. It is not humanly possible for a listener to catch all the programs which conceivably may affect him directly and about which he is entitled to know. His only recourse is to ask for the script.

"Over the years, the radio script has assumed a sacrosanctity which is in nowise justified. The privilege of influencing public opinion also carries with it the companion responsibility of not denying to any citizen the opportunity of knowing precisely what was said. In radio the only tangible form of record is the script and to refuse its release for any reason whatsoever would seem in itself a denial of freedom of speech. What is said on the radio should be no less a matter of public record than what is said in any other public medium.

Responsibility

"In proposing new legislation, the committee's counsel, Ernie Adamson, noted that some network officials had conceded there was room for improvement in the field of radio comment. That would seem the only sound and constructive position for the officials to take but surely it is no valid reason for suggesting that the job should be done by governmental fiat.

"In truth, the details of how and in what way the improvement should be achieved again resolves itself into a matter of opinion, with the lively discussion and lack of agreement on the point being probably the most encouraging augury of the eventual raising of standards. With the country sharply divided on many social and economic issues, however, it can be agreed that the commentator's individual opportunity was perhaps never greater and that, be he liberal or conservative, it is his responsibility to present his opinion on the day's issues with vigor but without rancor or personal axe-grinding. To help him do that it would seem in the listener's interest to assure that the commentator have, if anything, more freedom and not less."

NAB CITED FOR CONTRIBUTION TO FREE SPEECH

NAB has received an original manuscript copy of the Bill of Rights from the Bill of Rights Commemorative Society in recognition of the "outstanding contribution made toward freedom of speech in the celebration of Jaycee Radio Week, Aug. 26-Sept. 1, 1945."

This document, consisting of the first Amendments to the Constitution of the United States, was engrossed in 1789 at Federal Hall, New York City, first capital of the United States. The original was presented to the Library of Congress by Barney Balaban.

This welcome presentation has been framed and is on display at NAB headquarters.

LEGION AWARDS TO WFOY-WIOD

The American Legion Auxiliary of Miami Beach has presented Station WIOD, with a certificate "In recognition of its important contribution to the education, entertainment and inspiration of this community * * *"

WFOY, St. Augustine, has received a similar certificate for public service for the Legion Auxiliary of that city.

KHJ CITATION

Hollywood, Cal.—A citation for public service in aiding the Campfire Girls, Inc. of America was recently presented to Isabel Manning Hewson, producer of KHJ's Thursday evening "Land of the Lost" program for children.

The executive director for the organization made the award to Miss Hewson on the broadcast of November 22, and the Campfire Girl local chapters from coast-to-coast held "Listen In" parties on that afternoon. Miss Hewson has been active in aiding the Campfire Girls' drive to secure adult Campfire leaders and members.

WJR, WMOH GET SAFETY AWARDS

WJR, Detroit and WMOH, Hamilton, O., have received the National Safety Council Certificate of Honor for outstanding public service in connection with the observance of the Second National Farm Safety Week, July 22-28, 1945.

Announcing the awards, officers of the Safety Council said:

"The judges of the National Safety Council Farm Safety Radio Contest have decided to present two Certificates of Honor in connection with the contest—one will be presented to WJR, Detroit, and the other will be presented to Station WMOH for an excellent job of public service in connection with National Farm Safety Week, 1945."

Don Ioset, executive director of WMOH, received a letter from the Council which stated:

"You will be interested in learning that your entry caused the judges to suggest to the National Safety Council that the Second National Farm Safety Radio Contest be set up somewhat differently from the first. The difference would be that there would be a category provided for stations under 1,000 watts, so that the smaller stations which did an outstanding job would not have to compete with more powerful stations that had more money to spend."

SHIP 8 MORE "HOMETOWN MUSIC" SHOWS

Eight additional programs in the "Music from Your Hometown" series have been produced by stations for global broadcast to military personnel by Armed Forces Radio Service, Los Angeles. Newest completions are by:

WIP—Philadelphia

Armed Forces Radio Service has received from WIP—2 transcribed programs by Bob Chester's Orchestra and two by Bob Horn's All-Star Jazz Concert band.

KFPY—Spokane

Two programs by "Clyde and Slim and their Rambling Troubadours" were expressed to AFRS on Nov. 15 by KFPY. They were segments from station's Wednesday night "Hayloft Jamboree."

KGO—San Francisco

KGO recorded two programs for AFRS by Leighton Noble and his orchestra from Hotel Claremont, Berkeley, and expressed them Nov. 23.

NEUNER DIES

Dr. Robert Neuner, special counsel for the FCC from 1942 until July of this year, when he was loaned to the Office of the U. S. Chief of Counsel for the Prosecution of Axis Criminality, died at his home in Washington on Friday (23).

FREC COMPILES RADIO COURSE DIRECTORY

The Federal Radio Education Committee through its Secretary, Mrs. Gertrude Broderick, has compiled a list of colleges and universities offering courses in radio. The Directory was compiled from information supplied in a questionnaire sent to more than 1800 institutions of higher learning throughout the country. Slightly more than 1200 returned the questionnaire and 340 reported radio courses for the current school year in many categories.

The Directory, a limited supply of which is on hand at NAB, would be extremely helpful in answering inquiries regarding college courses for returning veterans. As long as the supply lasts copies may be obtained from NAB Headquarters. Write the Secretary-Treasurer.

KEMPTON TO INTERIOR DEPARTMENT

Willett Kempton has been appointed director of the Radio Section of the Department of the Interior Division of Information.

Kempton, who was formerly with OWI, takes charge of the studios of the Interior Building which have served as a production center for War Agencies.

The studios will continue to be at the disposal of Government agencies for peacetime live and transcribed show purposes, but emphasis will be placed upon their function to supply radio and advertisers with program material obtainable from the activities of the Interior Department.

JAP TELEVISION

The Japan Broadcasting Company has made preparations for a television test early in January, the Imperial Board of Communications disclosed Monday (26).

SEES RADIO AT CROSSROADS

Under the heading *Crossroads*, the following editorial appeared in the Nov. 8 pages of the Cleveland *Plain Dealer:*

"Radio this week officially marks its 25th anniversary. In a recent broadcast, Justin Miller, president of the National Association of Broadcasters, said in part that 'American

(Continued on next page)

radio can do much to sow the seeds of free enterprise and free speech throughout the world.'

"It is to be hoped that the entire broadcasting industry will make this thought a keynote as it turns from helping to win the war to the more timely task of helping to wage the peace.

". . . America's privately owned radio did a splendid job in helping to win the war. Being privately owned, it has the ingenuity and 'know how' to became the supersalesman of the democratic way of life.

"American radio cannot only sow the doctrine of free living abroad, it can also sow the seeds of tolerance and understanding right here at home."

RADIO REPLACES HORSE AND AUTO IN FIRST IRRIGATION NETWORK

Acting on the first application of its kind, the Federal Communications Commission today authorized the Garwood Irrigation Company of Garwood, Texas, to construct a radio system to be used in the operation of its irrigation networks serving 100,000 acres of rice and other crops.

This radio system, the company has advised the Commission, will substitute for the present methods of communication carried on by messengers traveling horseback or by automobile. These methods are so slow that much damage is done to the crops by either too much or too little water.

The company operates 200 miles of canals and many miles of irrigation ditches for the benefit of some 100 ranches. Without irrigation no crops could be raised in that section of the state, the company asserts.

The FCC authorization will permit the company to construct a land station and two 50-watt portable and mobile units and four 35-watt mobile units.

Three men continuously patrol the entire system all day and part of the night in cars. Close regulation is necessary at all times so as to distribute the water properly without waste or damage to the fields or canals. In this respect, canal riders must be in touch with each other and with the pumping plants, so the plants know how much water to pump and the canal riders know how to distribute it. The applicant stated: "Under the present conditions the only way a canal rider can communicate with the plants, another canal rider or a water patrol is to drive until they can meet up with the party they desire to communicate with. If a water patron desires to start taking water or stop taking water, he must try and meet the canal rider along the road or come in and leave word at the office. Now each canal rider has to make frequent trips to the office for orders or we have to send a car out to find him."

The frequency assigned is 35.46 megacycles; special emission for FM (telephony); Equipment F. M. Link, Model 50 UFS.

HAMS REGISTRATION LIFTED

The Commission today announced cancellation of Commission Orders numbered 99 through 99-B, and 101. Under these orders those in possession of unlicensed transmitters, and transmitters of amateur radio station licensees, other than manufacturers of and dealers in such equipment, were required to register their equipment with the Commission and report to the Commission changes in the possession of such equipment. In addition manufacturers of and dealers in unlicensed transmitters were required to submit various reports to the Commission concerning equipment on hand and the disposal of such equipment.

It should be noted that the requirements of Commission Orders 96—96-C with respect to registration of diathermy equipment are unaffected by the action of the Commission. It should also be pointed out that cancellation of the registration requirements respecting unlicensed transmitters in no way affects the requirement that any operation of such equipment be pursuant to a proper license issued by the Commission.

TRANSFER OF KID APPROVED

The Federal Communications Commission announced adoption of a Decision (B-226) approving the application for voluntary assignment of license of Radio Station KID, Idaho Falls, Idaho, from KID Broadcasting Company to Idaho Radio Corporation, for the sum of $108,000. (Docket No. 6772)

FCC REORGANIZES ENGINEERING DEPT.

As a step towards expediting the handling of its sharply increased post-war work load, the Federal Communications Commission today ordered a reorganization of the Engineering Department.

The Broadcast Division is to be re-named the Broadcast Branch and will be headed by John A. Willoughby, who has been assistant chief engineer in charge of the Broadcast Division.

The Broadcast Branch will consist of three divisions as follows: Standard Broadcast Division, James A. Barr; acting chief; FM Division, Cyril B. Braum, acting chief; and Television Division, Curtis B. Plummer, acting chief.

There are to be three other branches in the Engineering Department; Safety and Special Servics Branch consisting of the Marine and General Mobile Division, Aviation Division, Emergency and Miscellaneous Division; Field and Research Branch consisting of the Field and Monitoring Division, Technical Information Division, Frequency Allocation Division and Laboratory Division; Common Carrier Branch consisting of the Domestic Division, International Division, Rate Division and the 'Field Division.

Charles A. Ellert was recently appointed chief of the Laboratory Division and Paul D. Miles chief of the Allocation Division of the Field and Research Branch. Personnel of the other branches and divisions will be announced soon.

George P. Adair, Chief Engineer of the Commission commenting on the reorganization, pointed out that the need of meeting the unprecedented expansion in all phases of electrical communications is throwing a tremendous burden on the Engineering Department and the lack of staff is retarding the processing of applications.

In the broadcasting field alone, the Commission has on file 463 applications for new standard stations, 211 applications for changes in existing standard stations, 707 FM applications and 142 television applications. In addition, the Commission is receiving many applications for experimental authorizations, all of which require careful study. Every other field of communications is undergoing a similar expansion.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, December 3. It is subject to change.

Monday, December 3

NEW—George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a partnership doing business as New Iberia Broadcasting Company, New Iberia, Louisiana—C. P., **1240 kc.**, 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

KVOS—KVOS, Inc., Bellingham, Wash.—Granted construction permit to increase power from 250 watts to 1 KW., install new transmitter, DA for day and night use and move transmitter. (B5-P-3925)

WABI—Community Broadcasting Service, Bangor, Maine—Granted construction permit to increase power from 1 to 5 KW., employing DA night and make changes in transmitting equipment. (B1-P-3934)

Gordon W. Gambill, Hubert W. Martin, Humphrey B. Heywood, and R. T. Russell, d/b as Tennessee Valley Broadcasting Co., Chattanooga, Tenn.—Granted construction permit for new station to operate on frequency 1450 with 250 watts power, unlimited time, subject to the condition that the applicant be required to install an approved modulation monitor in compliance with the Commission's Standards of Good Engineering Practice as soon as such equipment is available. (B3-P-3716)

American Broadcasting Co., Inc., New York City—Granted extension of permit under Section 325(b) of the Communications Act to transmit recorded programs to all broadcast stations in Canada licensed to operate by the Canadian Government, which may be heard in the United States.

Aloha Broadcasting Co., Ltd., Honolulu, T. H.—Granted construction permit for a new station to operate on the frequency **1400 kc.**, with 250 watts power, unlimited time, subject to the condition that the applicant be required to install frequency and modulation monitors in compliance with the Rules and Standards, as soon as such equipment is available.

KOMA—KOMA, Inc., Oklahoma City, Okla.—Granted application for construction permit to increase power from 5 KW. to 50 KW., day and night on its presently assigned frequency **1520 kc.**, change transmitter site, install new transmitter and directional antenna for night use. (B3-P-4080)

WOKO—WOKO, Inc., Albany, N. Y.—Granted request for further extension of its special temporary authority for the operation of station WOKO, and adopted an order extending to January 29, 1946, the special temporary authorization for continued operation of station WOKO.

WMGA—Frank R. Pidcock, Sr. (Assignor), John F. Pidcock (Assignee), Moultrie, Ga.—Granted consent to voluntary assignment of license of station WMGA from Frank R. Pidcock, Sr., to John F. Pidcock, for a consideration of $30,327.68, or the amount by which the assets of the station exceed its liabilities as at the closing date.

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—Granted authority to install new automatic frequency control unit.

KEEW—Radio Station KEEW, Ltd., Brownsville, Texas—Granted authority to determine operating power by direct measurement of antenna power.

WLEE—Thomas Garland Tinsley, Jr., Richmond, Va.—Granted license to cover construction permit which authorized a new station to operate on **1450 kc.**, 250 watts, unlimited time except when WBBL operates. Also granted authority to determine operating power by direct measurement of antenna power.

WBBL—Grace Covenant Presbyterian Church, M. A. Sitton, Agt., Richmond, Va.—Granted license to cover construction permit which authorized change in frequency to **1450 kc.**, increase in power to 250 watts, change in hours of operation, changes in transmitting equipment and antenna, and change in transmitter location. Also granted authority to determine operating power by direct measurement of antenna power.

KCHD—KMMJ, Inc., Grand Island, Neb.—Granted license to cover construction permit authorizing a new relay broadcast station to be used with standard station KMMJ; frequencies **30.82, 33.74, 35.82, 37.98 mc.**; 50 watts.

WMRW—Textile Broadcasting Co., Portable, Area of Greenville, S. C.—Granted license to cover construction permit for a new relay broadcast station to be used with standard station WMRC; frequencies **33.38, 35.02, 37.62, 39.82 mcs.**, 2 watts.

W9XEV—Evansville on the Air, Inc., Glenwood, Ind.—Granted modification of developmental broadcast station construction permit for extension of completion date to 1/19/46.

DESIGNATED FOR HEARING

N. Pratt Smith and James L. Stapleton, Jesse Martin Neil, Jr., and Duard K. Nowlin, d/b as Grand Canyon Broadcasting Co., Flagstaff, Ariz. — Designated for consolidated hearing these two applications for a new station in Flagstaff, Ariz., both requesting frequency **1340 kc.**, 250 watts power, unlimited time. (B5-P-4207; B5-P-4206)

Cumberland Gap Broadcasting Co. and The Middlesboro Broadcasting Co., Middlesboro, Ky.—Designated for consolidated hearing these applications for a new station in Middlesboro, Ky., both applicants requesting frequency **1490 kc.** with 250 watts power. (B2-P-4203; B2-P-4036)

The Sandusky Broadcasting Co. and Lake Erie Broadcasting Co., Sandusky, Ohio—Designated for consolidated hearing these two applications for a new station in Sandusky; both applicants request frequency **1450 kc.** with 250 watts power, unlimited time. (B2-P-4208; B2-P-4190)

W. J. Harpole, et al., d/b as Borger Broadcasting Co. and Richard George Hughes, Borger, Texas—Designated for consolidated hearing applications for new station in Borger, Texas, both applicants request frequency **1490 kc.**, 250 watts, unlimited time. (B3-P-4204; B3-P-4205)

KQW—Sherwood B. Brunton, et al. (Transferors), Columbia Broadcasting System, Inc., (Transferee), Pacific Agricultural Foundation, Ltd. (Licensee), San Jose, Cal.—Designated for hearing application for consent to voluntary transfer of control of Pacific Agricultural Foundation, Ltd., licensee of station KQW, from Sherwood B. Brunton, Mott Q. Brunton and Ralph R. Brunton as individuals and trustees and C. L. McCarthy, to Columbia Broadcasting System, Inc. (On motion to grant, Wakefield, Jett and Wills, Commissioners, voted yes; Walker, Durr and Denny voted No. The application was thereupon designated for hearing.)

LICENSE RENEWALS

The following licenses were extended upon a temporary basis only, for the period ending February 1, 1946, pending determination upon applications for renewal of licenses:

KBIX, Muskogee, Okla.; KBKR, Baker, Ore; KBON, Omaha; KBST, Big Spring, Texas; KBUR, Burlington, Iowa; KDB, Santa Barbara, Cal.; KDRO, Sedalia, Mo.; KVAL, Brownsville, Texas; KEYS, Corpus Christi; KFFA, Helena, Ark.; KGKB, Tyler, Texas; KGKY, Scottsbluff, Neb.; KNEL, Brady, Texas; KNOW, Austin, Texas; KOTN, Pine Bluff, Ark.; KOVC, Valley City, N. Dak.; KPAB, Laredo, Texas; KPLC, Lake Charles, La.; KPLT, Paris, Texas; KRNR, Roseburg, Ore.; KSAM, Nr. Huntsville, Texas; KTBI, Tacoma, Wash.; KTOH, Lihue, Hawaii; KVOE, Santa Ana, Cal.; KVWC, Vernon, Texas; KWEW, Hobbs, N. M.; KYCA, Prescott, Ariz.; KYOS, Nr. Merced, Cal.; WBAB, Atlantic City, N. J.; WBTA, Batavia, N. Y.; WDAN, Danville, Ill.; WDBC, Escanaba, Mich.; WDNC, Durham, N. C.; WGAL, Lancaster, Pa.; WGTC, Nr. Greenville, N. C.; WHBB, Selma, Ala.; WIGM, Nr. Medford, Wis.; WJBK, Detroit; WKBB, Dubuque, Iowa; WKBV, Richmond, Ind.; WKBZ, Muskegon, Mich.; WKNY, Kingston, N. Y.; WKRO, Cairo, Ill.; WMJM, Cordele, Ga.; WMOG, Brunswick, Ga.; WMRC, Greenville, S. C.; WMRF, Lewistown, Pa.; WMRN,

(Continued on next page)

Marion, Ohio; WNLC, New London, Conn.; WOLF, Syracuse, N. Y.; WOMI, Owensboro, Ky.; WOPI, Bristol, Tenn.; WOSH, Oshkosh, Wis.; WRGA, Rome, Ga.; WSAP, Portsmouth, Va.; WSTP, Salisbury, N. C.; WTMC, Ocala, Fla.; WTMV, E. St. Louis, Ill.; WWSW and Auxiliary, Pittsburgh, Pa.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon applications for renewals, for the period ending February 1, 1946:

KABC, San Antonio; KATE, Albert Lea, Minn.; KBPS, Portland, Ore.; KDAL, Duluth, Minn.; KDNT, Denton, Texas; KFAM, St. Cloud, Minn.; KFIZ, Fond du Lac, Wis.; KFYO, Lubbock, Texas; KGFF, Shawnee, Okla.; KGFL, Roswell, N. M.; KGLU, Safford, Ariz.; KHMO, Hannibal, Mo.; KHUB, Watsonville, Cal.; KLBM, La Grande, Ore.; KLUF, Galveston, Texas; KMYC, Marysville, Cal.; KMYR, Denver; KNET, Palestine, Texas; KOAL, Price, Utah; KOCA, Kilgore, Texas; KOCY, Oklahoma City; KONO, San Antonio; KORE, Eugene, Ore.; KPDN, Pampa, Texas; KRBC, Abilene, Texas; KRBM, Bozeman, Mont.; KRIC, Beaumont, Texas; KRLC, Lewiston, Idaho; KSAN, San Francisco; KTOK, Oklahoma City; KTRI, Sioux City, Iowa; KVAK, Atchison, Kans.; KVFD, Fort Dodge, Iowa; KVGB, Great Bend, Kans.; KWAL, Wallace, Idaho; KWBW, Hutchinson, Kans.; WARY, Albany, N. Y.; WACO, Waco, Texas; WAOV, Vincennes, Ind.; WARM, Scranton, Pa.; WASK, Lafayette, Ind.; WATL, Atlanta, Ga.; WATW, Ashland, Wis.; WAZL, Hazleton, Pa.; WBLK, Clarksburg, W. Va.; WBNY, Buffalo; WBTH, Williamson, W. Va.; WCBS, Springfield, Ill.; WCNC, Elizabeth City, N. C.; WCOS, Columbia, S. C.; WCRS, Greenwood, S. C.; WDAS, and auxiliary, Philadelphia; WDEF, Chattanooga; WDWS, Champaign, Ill.; WEED, Rocky Mount, N. C.; WELO, Tupelo, Miss.; WEOA, Evansville, Ind.; WFIG, Sumter, S. C.; WFMJ, Youngstown, Ohio; WFNC, Fayetteville, N. C.; WFOR, Hattiesburg, Miss.; WFPG, Atlantic City, N. J.; WGAU, Athens, Ga.; WGH, Newport News, Va.; WGIL, Galesburg, Ill.; WGL, Fort Wayne; WGNC, Gastonia, N. C.; WGOV, Valdosta, Ga.; WGPC, Albany, Ga.; WHBQ, Memphis, Tenn.; WHDF, Calumet, Mich.; WHDL, Town of Allegany, N. Y.; WHFC, Cicero, Ill.; WHIT, New Bern, N. C.; WHLB, Virginia, Minn.; WHLS, Port Huron, Mich.; WHMA, Anniston, Ala.; WHYN, Holyoke, Mass.; WIBG, Glenside, Pa.; WIBM, Jackson, Mich.; WILM, Wilmington, Del.; WINC, Winchester, Va.; WJBY, Gadsden, Ala.; WJHO, Opelika, Ala.; WJLB, Detroit, Mich.; WJMC, Rice Lake, Wis.; WJMS, Ironwood, Mich.; WJPA, Washington, Pa.; WJXN, Jackson, Miss.; WJZM, Clarksville, Tenn.; WKEU, Griffin, Ga.; WKIP, Poukhkeepsie, N. Y.; WLAP, Lexington, Ky.; WLAV, Grand Rapids, Mich.; WLAY, Muscles Shoals City, Ala.; WLEU, Erie, Pa.; WLLH main and Syn. Amp., Lowell, Mass.; WLPM, Suffolk, Va.; WMAS, Springfield, Mass.; WMBH, Joplin, Mo.; WMBR, Jacksonville, Fla.; WMFD, Wilmington, N. C.; WMFJ, Daytona Beach, Fla.; WMGA, Moultrie, Ga.; WMVA, Martinsville, Va.; WNAB, Bridgeport, Conn.; WNBH, New Bedford, Mass.; WNEW and auxiliary, New York City; WNOE, New Orleans; WOLS, Florence, S. C.; WOV and auxiliary, New York City; WPAB, Paducah, Ky.; WPAR, Parkersburg, W. Va.; WRAK, Williamsport, Pa.; WRDO, Augusta, Maine; WRJN, Racine, Wis.; WRLC, Toccoa, Ga.; WRLD, West Point, Ga.; WSAM, Saginaw Mich.; WSBC, Chicago; WSLB, Ogdensburg, N. Y.; WSLI, Jackson, Miss.; WSPB, Sarasota, Fla.; WTEL, Philadelphia; WTOL, Toledo; WWDC and Syn. Amp., Washington, D. C.; KRKO, Everett, Wash.; WAGM, Presque Isle, Maine; WGRM, Greenwood, Miss.; WPAY, Portsmouth, Ohio.

WWDC—Capital Broadcasting Co., Washington, D. C.—Granted extension of authority for waiver of Secs. 2.53 and 13.61 of the Commission's Rules so as to permit operation of the synchronous amplifier of station WWDC by remote control from the main transmitter location, for the period Dec. 1, 1945, and ending in no event later than Feb. 1, 1946, upon the same terms and conditions as the existing authorization for such operation.

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va.—Granted renewal of license on a temporary basis only for the term beginning Dec. 1, 1945, and ending Aug. 1, 1948, upon the express condition that it is subject to whatever action may be taken by the Comm. upon the pending application for renewal of license of station WGKV. Nothing contained herein shall be construed as a finding by the Comm. that the operation of the station is or will be in the public interest beyond the express terms hereof.

W8XWI—Guy S. Cornish, Area of Cincinnati, Ohio.—Present license of Public Address Relay Class II experimental broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending Feb. 1, 1946.

WHBI—May Radio Broadcast Corp., Newark, N. J.—Granted renewal of license for period ending November 1, 1948. (B1-R-178)

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted renewal of license for period ending May 1, 1948. (B3-R-462)

WFTC—Jonas Weiland, Kinston, N. C.—Granted renewal of license for period ending February 1, 1947. (B3-R-918)

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—Granted renewal of license for the period ending August 1, 1947.

WPAY—The Scioto Broadcasting Co., Portsmouth, Ohio.—Granted renewal of license for the period ending August 1, 1947. (Commissioner Durr voting for hearing.)

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Adopted order further extending license of station WBAX from December 1, 1945, to February 1, 1946, pending determination upon application for license. (Docket No. 6723)

BROADCAST GRANTS

The Commission announced the grant of 13 applications for new standard broadcast stations in 8 states and designated four applications for hearing.

The grants for the new stations are in cities which now have no radio station and have no primary service.

Following is a list of the grants:

GEORGIA

Bainbridge—S. Marvin Griffin—Frequency **1490 kc.**, 250 watts, unlimited time. (B3-P-3893)

Cartersville—W. R. Frier—Frequency **1450 kc.**, 250 watts, unlimited time. (B3-P-4064)

KENTUCKY

Frankfort—Frankfort Broadcasting Co.—Frequency **1490 kc.**, 250 watts, unlimited time. (B2-P-4072)

Glasgow—Glasgow Broadcasting Co.—Frequency **1490 kc.**, 250 watts, unlimited time. (B2-P-4008)

MINNESOTA

Brainerd—E. Thomas O'Brien, Mildred O'Brien Chalberg, John Chalberg, Mabel O'Brien Smith, and William Graham, d/b as Brainerd Broadcasting Co.—Frequency **1400 kc.**, 250 watts, unlimited time. (B4-P-3991)

NEW MEXICO

Silver City—Dorrance D. Roderick—Frequency **1340 kc.**, 250 watts, unlimited time. Site to be determined. (B5-P-4041)

OKLAHOMA

McAlester—McAlester Broadcasting Co. (a co-partnership composed of C. E. Wilson & P. D. Jackson)—Frequency **1400 kc.**, 250 watts, unlimited time; granted subject to condition permittee make more complete showing of programs to be rendered prior to issuance of license. (B3-P-4027).

TENNESSEE

Athens—Lowell F. Arterburn, d/b as Athens Broadcasting Co.—Frequency **1450 kc.**, 250 watts, unlimited time. (B3-P-3929)

(Continued on next page)

Athens—R. O. Hardin and Verna S. Hardin, tr/as Athens Broadcasting Co.—Frequency **1490 kc.**, 250 watts, unlimited time. (B3-P-3918)

Columbia—The Middle Tennessee Broadcasting Co.—Frequency **1340 kc.**, 250 watts, unlimited time. (B3-P-3715)

WASHINGTON

Ellensburg—Central Washington Broadcasters, Inc.—Frequency **1240 kc.**, 250 watts, unlimited time. (B5-P-3996)

Ellensburg—Gilbert H. Kayner and Howard H. Kayner, d/b as Kittitas Valley Broadcasting Station—Frequency **1400 kc.**, 250 watts, unlimited time. (B5-P-4024)

WYOMING

Worland—Joseph P. Ernst—Frequency **1490 kc.**, 250 watts, unlimited time. (B3-P-3891)

The following applications were designated for hearing:

DELAWARE

Dover—Diamond State Broadcast Corp.—Requests frequency **1340 kc.**, 250 watts, unlimited time. (B1-P-4217)

FLORIDA

Fort Pierce—James S. Rivers, tr/as Southeastern Broadcasting Co.—Requests frequency **1490 kc.**, 250 watts, unlimited time; (B3-P-3938), to be consolidated with Indian River Broadcasting Co. application.

Fort Pierce—Indian River Broadcasting Co.—Requests frequency **1400 kc.**, 250 watts, unlimited time; (B3-P-3905), these applications are designated for consolidated hearing with application of Southern Media Corp., Coral Gables (B3-P-4138) and Ft. Lauderdale Broadcasting Co. application, (B3-P-3785).

WASHINGTON

Bremerton—Bremerton Broadcast Co.—Requests frequency **1230 kc.**, 250 watts, unlimited time. (B5-P-4031)

DOCKET CASE ACTION

The Commission announced adoption of a decision (B-226) approving the application for voluntary assignment of license of Radio Station KID, Idaho Falls, Idaho, from KID Broadcasting Company to Idaho Radio Corporation, for the sum of $108,000. (Docket No. 6772)

LICENSE RENEWAL ORDER

WHEREAS, A complaint has been received alleging that Herman L. Stevens and Harmon L. Stevens, licensees of Station WHLS, Port Huron, Michigan, after having sold time to Carl E. Muir for a series of broadcasts in support of his candidacy for re-election as a City Commissioner of Port Huron at a municipal election held on April 2, 1945, cancelled the scheduled broadcasts after receipt and examination of the script of the first broadcast prior to its delivery and refused to permit the use of the station's facilities by said Muir on the ground that they believed the script to be unsuitable for broadcasting and to contain certain libelous or defamatory remarks; and

WHEREAS, A second complaint has been received alleging that the said licensees, after having sold other time for broadcasts in behalf of the candidacies of Harold E. Davis and Nelson Tobias, also candidates for the office of City Commissioner, cancelled the proposed broadcasts because "Mr. Muir has seen fit to cause trouble for WHLS" and the licensees were therefore "refusing the facilities of WHLS to any candidate" for City Commissioner; and

WHEREAS, It appears that the facilities of Station WHLS were in fact used by Mr. Muir for delivery of a political address on March 5, 1945:

NOW, THEREFORE, IT IS HEREBY ORDERED, This 21st day of November, 1945, that pursuant to the provisions of section 309(a) of the Communications Act of 1934, as amended, the application for renewal of license of Herman L. Stevens and Harmon L. Stevens, d/b as Port Huron Broadcasting Company, licensees of Radio Station WHLS, Port Huron, Michigan, BE AND IT IS HEREBY, DESIGNATED for hearing to determine (1) whether the refusal of the said licensees to permit their facilities to be used for the scheduled broadcast by the said Muir constituted an act of censorship by the said licensees in violation of the provisions of section 315 of the Communications Act, and (2) whether the refusal of said licensees to permit their facilities to be used by any of the candidates referred to above on the ground that the facilities were not to be used by any candidate constituted a violation of the provisions of section 315 of the Communications Act of 1934, as amended.

MISCELLANEOUS

Frank Parker, Danbury, Conn.—Adopted order granting applicant's petition that his application for a new station be designated for a consolidated hearing with applications of The Danbury Broadcasting Co., The Berkshire Broadcasting Corp., and The Torrington Broadcasting, Inc., and ordered that the Parker application be designated for hearing in a consolidated proceeding with these other applications. (Docket No. 6986)

WHLS—Herman L. Stevens and Harmon L. Stevens, d/b as Port Huron Broadcasting Co., Port Huron, Mich.—Adopted order designating for hearing application for renewal of license of Station WHLS to determine issues relating to Section 315 of the Act.

Raoul Cortez, San Antonio, Texas—Adopted orders (1) dismissing petition for rehearing filed by Austin Broadcasting Co., and (2) ordered that construction permit heretofore granted to Cortez be, with consent of permittee, changed to **1350 kc.**; dismissed proceeding in order to show cause, and vacated hearing set for December 17, 1945. (Docket 6984)

Plymouth County Broadcasting Corp., Brockton, Mass.—Adopted order granting petition of Plymouth County Broadcasting Corp. to have its application for construction permit for a new station at Brockton, Mass., designated for a consolidated hearing with the applications of Bay State Beacon, Inc.; Mitchell G. Meyers, Reuben H. Aronheim, and Milton H. Meyers; Cur-Nan Company; and Templeton Radio Manufacturing Company, and it was further ordered these cases be designated for hearing in a consolidated proceeding.

Capitol Broadcasting Corp., Charleston, W. Va.—Granted petition for leave to amend application for new station to show changes with respect to stockholders, and the amendment filed with petition was accepted.

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio—Granted motion for leave to amend application for construction permit, and the amendment filed with the motion was accepted.

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio—Granted petition for leave to intervene in the hearing now scheduled for Dec. 19 on application of Chronicle Publishing Co., Inc., for a new station in Marion, Ind.

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio—Granted petition for leave to intervene in the hearing now scheduled for Dec. 19, on application of Voice of Marion, for a new station in Marion, Ind.

WHBU—Anderson Broadcasting Co., Anderson, Ind.—Granted petition for leave to intervene in the hearing on application of Chronicle Publishing Co., for a new station in Marion, Ind.

New Iberia Broadcasting Co., New Iberia, La.—Granted motion insofar as it seeks a 30-day continuance of hearing on its application for new station, and the hearing now scheduled for Dec. 3 was continued to January 2, 1946.

Press Wireless, Inc.—Upon a motion filed by Press Wireless, Inc., the Commission postponed the hearing now scheduled for Dec. 5 to February 18, 1946, in re rates and charges for communication service (Docket 6539).

Copper City Broadcasting Corp., Rome, N. Y.—Denied petition for continuance to Jan. 15, 1946, of the consolidated hearing on Utica and Rome, N. Y., applications now scheduled for Dec. 10, 1945, and ordered the hearing transferred to Rome, to be held on the date

(Continued on next page)

now scheduled, provided, however, that the hearing may be adjourned to Utica at the discretion of the presiding officer, and that it shall be adjourned to the offices of the Commission in Washington on Thursday, Dec. 13, for the presentation of additional evidence. The Commission further ordered that not less than 5 days before said hearings at Rome, N. Y., on Dec. 10, all applicants who desire to take the testimony of witnesses at that place shall so notify the Commission and all parties to the proceeding, and in such notification, they shall specify the name and address of each witness and the matters and facts concerning which it is expected such witness will testify.

APPLICATIONS FILED AT FCC

580 Kilocycles

WTAC—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Voluntary assignment of license to WTAG, Inc.

620 Kilocycles

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine—Authority to determine operating power by direct measurement of antenna power for non-directional antenna daytime.

650 Kilocycles

KXRO—KXRO, Inc., Aberdeen, Wash.—Construction permit to change frequency from **1340** to **650 kc.,** increase power from 250 watts to 1 KW., install new transmitter and new vertical antenna and change transmitter location.

710 Kilocycles

WTCN—Minneapolis Broadcasting Corp., Minneapolis, Minn. —Construction permit to change frequency from **1280 kc.** to **710 kc.,** power from 1 KW night, 5 KW. daytime to 10 KW. day and night, install new transmitter and directional antenna for night use and change transmitter location. Amended: re changes in directional antenna.

740 Kilocycles

NEW—Arkansas Valley Broadcasting Company, Fort Smith, Ark. (P. O. 57, Ada, Okla.)—Construction permit for a new standard broadcast station to be operated on **740 kc.,** power of 1 KW. and directional antenna night and unlmited hours of operation.

800 Kilocycles

NEW—Chambersburg Broadcasting Co., Chambersburg, Pa. (P. O. 167 Lincoln Way East)—Construction permit for a new standard broadcast station ot be operated on **800 kc.,** power of 1 KW., and daytime hours of operation.

NEW—Dixie Broadcasting Co., Montgomery, Ala.—Construction permit for a new standard broadcast station to be operated on **800 kc.,** power of 250 watts and daytime hours of operation. Amended: to change power to 1 KW., change type of transmitter and make changes in antenna system.

830 Kilocycles

NEW—The High Point Enterprise, Inc., High Point, N. C. (P. O. 305 N. Main, High Point, N. C.)—Construction permit for a new standard broadcast station to be operated on **830 kc.,** power of 1 KW., and daytime hours of operation.

880 Kilocycles

NEW—The Eagle-Gazette Co., Lancaster, Ohio.—Construction permit for a new standard broadcast station to be operated on **880 kc.,** power of 1 KW. and daytime hours of operation. Amended: re equipment changes.

940 Kilocycles

NEW—Independent Broadcasting Co., Des Moines, Iowa.—Construction permit for a new standard broadcast station to be operated on **940 kc.,** power of 250 watts night and 1 KW daytime, and unlimited hours of operation. Amended: to change power to 10 KW. day and night, change type of transmitter, install directional antenna for night use and change transmitter location from Des Moines, Iowa, to near Ford, Iowa.

1130 Kilocycles

NEW—Missionary Society of St. Paul the Apostle, New York, N. Y.—Construction permit for a new standard broadcast station to be operated on **1130 kc.,** power of 10 KW. and unlimited hours of operation. Amended: to specify transmitter location as Belleville Turnpike, Kearny, New Jersey.

1150 Kilocycles

KSWO—Oklahoma Quality Broadcasting Co., a Co-partnership composed of R. H. Drewry, J. R. Montgomery, Ted R. Warkentin and Robert P. Scott, Lawton, Okla. —Authority to determine operating power by direct measurement of antenna power.

1170 Kilocycles

NEW—E. L. Barker, Claribel Barker, T. H. Canfield, Opal A. Canfield and Charles M. O'Brien, Jr., San Jose, Calif. (P. O. 233 S. First St.)—Construction permit for a new standard broadcast station to be operated on **1170 kc.,** power of 5 KW., directional antenna and unlimited hours of operation. Amended: to change name of George M. O'Brien, Jr., to read Charles M. O'Brien, Jr.

1200 Kilocycles

NEW—Norfolk Broadcasting Corp., Norfolk, Va.—Construction permit for a new standard broadcast station to be operated on **1200 kc.,** power of 250 watts, and daytime hours of operation. Amended: to change frequency to **1220 kc.**

1210 Kilocycles

NEW—West Central Broadcasting Co., Tulsa, Okla. (P. O. 904 Atlas Life Bldg.)—Construction permit for a new standard broadcast station to be operated on **1210 kc.,** power of 50 KW. directional antenna night and unlimited hours of operation.

1230 Kilocycles

KFDA—Amarillo Broadcasting Corp., Amarillo, Texas—Authority to determine operating power by direct measurement of antenna power.

NEW—Easton Publishing Co., Easton, Penna. (P. O. 30 N. 4th St.)—Construction permit for a new standard broadcast Station to be operated on **1230 kc.,** power of 250 watts and unlimited hours of operation.

NEW—Boulder City Broadcasting Co., Ely, Nev. (P. O. Box H, 529 Nevada Highway, Boulder City, Nev.)—Construction permit for a new standard broadcast station to be operated on **1230 kc.,** power of 250 watts and unlimited hours of operation.

KGDE—Charles L. Jaren, Fergus Falls, Minn.—Voluntary assignment of license to Fergus Radio Corporation.

1240 Kilocycles

NEW—George H. Thomas, James J. Davidson, Jr., & Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Co., New Iberia, La.—Construction permit for a new standard broadcast station to be operated on **1240 kc.,** power of 250 watts, and unlimited hours of operation. Amended: re antenna changes.

NEW—C. A. Kaufmann & John F. Clarkson, d/b as Newberry Broadcasting Co., Newberry, S. C. (P. O. Box

(Continued on next page)

353)—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts, and unlimited hours of operation.

1260 Kilocycles

KPOW—Albert Joseph Meyer, Powell, Wyo.—Construction permit to change frequency from **1230 kc.** to **1260 kc.**, increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use and change transmitter location. Amended: to change transmitter location.

1280 Kilocycles

NEW—The Trinidad Broadcasting Corp., Trinidad, Col. (P. O. 8 & 9 Colorado Bldg., Trinidad, Col.)—Construction permit for a new standard broadcast station to be operated on **1280 kc.**, power of 500 watts night, and 1 KW daytime, and unlimited hours of operation.

1340 Kilocycles

NEW—Clyde B. Austin, C. H. Lyerly and C. B. Burns, d/b as Greeneville Broadcasting Co., Greeneville, Tenn. (P. O. Greeneville, Tenn.) (Temp. % The Austin Co., Inc., Greeneville, Tenn.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Florence Broadcasting Co., a partnership composed of Clyde W. Anderson and Joe T. Van Sandt, Florence, Ala. (P. O. Reeder Hotel Bldg., Tennessee St.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Alfred H. Temple, Alma Horn Temple & Dr. Frederick Fayne Kumm, a co-partnership, d/b as Deep South Radioways, Lake City, Fla.—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation. Amended: to specify transmitter location.

NEW—Gillette and Jesse Gilbert Burton, Jr., a partnership, d/b as Burton Broadcasting Co., Mobile, Ala. (P. O. Merchants National Bank Bldg.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Diamond State Broadcast Corp., Dover, Del. (P. O. 309 S. State St., Dover, Del.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation.

KAND—Navarro Broadcasting Assn., J. C. West, President, Corsicana, Texas—Voluntary assignment of license to Alto, Inc.

KBND—The Bend Bulletin, Bend, Oreg.—Voluntary assignment of license to Central Oregon Broadcasting Company.

1400 Kilocycles

NEW—James Valley Broadcast Co., Huron, S. Dak. (P. O. Room 10, KP Building, 52 S. 3rd St.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Bay State Broadcasting Co., New Bedford, Mass. (P. O. 229 Coffin Ave.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation.

NEW—James S. Rivers, tr/as Southeastern Broadcasting System, Sanford, Fla. (P. O. Box 432, Cordele, Ga.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation.

1450 Kilocycles

NEW—Charles M. Dale, Concord, N. H. (P. O. 110 N. Main St.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—George Bennitt & Russell Bennitt, d/b as Fayetteville Broadcasting Co., Fayetteville, Ark. (P. O. Fayetteville, Ark.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts, and unlimited hours of operation.

WGOV—E. D. Rivers, Valdosta, Ga.—Authority to determine operating power by direct measurement of antenna power.

NEW—Inland Radio, Inc., Ontario, Ore. (P. O. First & Court Sts., Baker, Ore.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—State Gazette Broadcasting Co., Dyersburg, Tenn. (P. O. 610 Mill Ave.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Hartsville Broadcasting Co., Hartsville, S. C.—Construction permit for a new standard broadcbast station to be operated on **1450 kc.**, power of 250 watts, and unlimited hours of operation.

1490 Kilocycles

NEW—Commonwealth Broadcasting Corp., Danville, Ky.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts, and unlimited hours of operation. Amended: to change frequency to **1230 kc.**, and power to 100 watts.

NEW—Kennebec Broadcasting Co., Waterville, Maine (P. O. 50 Main St., Waterville, Maine).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Mrs. Lois M. Daniels, Brawley, Calif. (P. O. 225 Michigan Ave., Fresno, Calif.)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—James S. Rivers, tr/as Southeastern Broadcasting System, East Point, Ga. (P. O. East Point, Ga.)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts, unlimited hours of operation.

1570 Kilocycles

NEW—Vincent S. Barker and Gladys J. Barker, a partnership, d/b as Freeport Broadcasting Co., Freeport, Ill.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation. Amended: to change frequency to **1570 kc.**, power to 1 KW, and hours of operation to daytime, changes in transmitting equipment and change transmitter location.

1590 Kilocycles

NEW—Fred Weber, E. A. Stephens and William H. Talbot, d/b as Texas Broadctsters, Houston, Texas—Construction permit for a new standard broadcast station to be operated on **1580 kc.**, power of 500 watts, night, and 1 KW, daytime, and unlimited hours of operation. Amended: to change frequency to **1590 kc.**, and hours of operation to daytime, using 1 KW power.

FM APPLICATIONS

NEW—Telair Company, Cleveland, Ohio (P. O. 1200 Firestone Pkwy., Akron 17, Ohio)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage to be determined.

NEW—Tri-County Broadcasting Co., Inc., DuBois, Pa. (P. O. 80 N. Park Pl.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be determined by chief engineer of FCC and coverage to be determined.

NEW—Telair Co., Detroit, Mich. (P. O. 1200 Firestone Pkwy., Akron 17, Ohio)—Construction permit for a

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new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage to be determined.

NEW—Presque Isle Broadcasting Co., Erie, Pa. (P. O. 121 West 10th St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage of 9,960 square miles.

NEW—National Broadcasting Co., Inc., Cleveland, Ohio—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #55, **98.9 mcs.**, and coverage to be determined. Amended: to change coverage from "to be determined" to 10,950 square miles, change transmitting equipment, specify population as 2,501,475, and specify antenna system.

NEW—Monterey Peninsula Broadcasting Co., Monterey, Calif. (P. O. 275 Pearl St., Monterey, Calif.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **43.5 mcs.**, and coverage of 13,422 square miles.

NEW—National Broadcasting Co., Inc., San Francisco, Calif.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #55, **98.9 mcs.**, and coverage to be determined. Amended: to change coverage to 13,580 square miles, type of transmitter and transmitter location from within 35 miles of San Francisco, Calif., to San Bruno, Calif.; specify population as 2,001,544, and specify antenna system.

NEW—Buffalo Broadcasting Corp., Buffalo, N. Y. (P. O. Rand Bldg., Buffalo 3, N. Y.)—Construction permit for a new FM broadcast station to be operated on frequency to be determined by FCC and coverage of 4,650 square miles.

NEW—The Yankee Network, Inc., Boston, Mass.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #25, **92.9 mcs.**, and coverage not specified. Amended: to change frequency from Channel #25, **92.9 mcs.**, to Channel #66, **101.1 mcs.**

NEW—The Yankee Network, Inc., Providence, R. I.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #43, **96.5 mcs.**, and coverage not specified. Amended: to change frequency from Channel #43, **96.5 mcs.**, to Channel #56, **99.1 mcs.**

NEW—The Yankee Network, Inc., Bridgeport, Conn.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #72, **102.3 mcs.**, and coverage not specified. Amended: to change frequency from Channel #72, **102.3 mcs.**, to Channel #67, **101.3 mcs.**

NEW—WTAX, Inc., Springfield, Ill. (P. O. 117-119 So. Fifth St., Springfield, Ill.)—Construction permit for a new FM broadcast station to be operated on Channel #60, **99.9 mcs.**, and coverage of 5,056 square miles.

NEW—Kankakee Daily Journal Co., Kankakee, Ill. (P. O. 193 No. Schuyler Ave.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #36, **95.1 mcs.**, and coverage of 9,168 square miles.

NEW—The American Network, Inc., New York, N. Y.—Construction permit for a new FM broadcast station to be operated on **47.9 mcs.**, and coverage of 8,840 square miles. (Request of attorney)

NEW—Telair Co., Chicago, Ill. (P. O. 1200 Firestone Pkwy., Akron 17, Ohio)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage to be assigned by FCC.

NEW—Rome Broadcasting Corp., Rome, Ga.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **48.1 mcs.**, and coverage of approximately 8,000 square miles. Amended: to change frequency to Channel #39, **95.7 mcs.**, coverage to 7,641 square miles, transmitter site and specify population as 484,929.

NEW—Julius Miller, Oscar Miller, Bertha L. Miller, Gertrude Miller, and Arnold B. Miller, d/b as Radio Station WSBC, Chicago, Ill. (P. O. 2400 West Madison St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be selected by FCC in **100 mc.** band and coverage of 10,800 square miles.

NEW—National Broadcasting Co., Inc., Chicago, Ill.—Construction permit for a new FM broadcast station to be operated on Channel #55, **98.9 mcs.**, and coverage of 10,800 square miles. Amended: to change coverage to 10,400 square miles, change type of transmitter, and make changes in antenna system.

NEW—A. H. Belo Corp., Dallas, Texas—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency between **43.1** and **44.3 mcs.**, and coverage of approximately 22,700 square miles. Amended: to specify (maximum power as 10 KW), antenna system and change transmitter location from Dallas County, Texas, to Dallas, Texas.

NEW—The Berkshire Broadcasting Corp., Danbury, Conn. P. O. 7 West St., Pershing Bldg., Danbury, Conn.)—Construction permit for a new FM broadcast station to be operated on frequency to be assigned by chief engineer of FCC, and coverage of 2,482 square miles.

NEW—Baltimore Broadcasting Corp., Baltimore, Md.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **48.3 mcs.**, and coverage of 3,600 square miles. Amended: to change transmitter site from Baltimore, Md., to near Towson, Md., and change type of transmitter and antenna system.

NEW—The Lorain Journal Co., Lorain, Ohio (P. O. 205 Seventh St.)—Construction permit for a new FM (Community) broadcast station to be operated on frequency and coverage to be assigned by FCC.

NEW—Amarillo Broadcasting Corp., Amarillo, Texas—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **45.1 mcs.**, and coverage of 5,600 square miles. Amended: to change antenna system.

NEW—Lee Broadcasting, Inc., Quincy, Ill.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **44.1 mcs.**, and coverage of approximately 15,300 square miles. Amended: to change name from Illinois Broadcasting Corp. to Lee Broadcasting, Inc., coverage to 15,400 square miles, transmitter site from Quincy, Ill., to East Quincy, Ill.; specify antenna system and change type of transmitter.

NEW—Lloyd A. Pixley, Martha P. Pixley, Milton A. Pixley, and Grace M. Pixley, partners, d/b as The Pixleys, Columbus, Ohio—Construction permit for a new FM broadcast station to be operated on **48.5 mcs.**, and coverage of 12,500 square miles. Amended: to change frequency to "to be selected by FCC," coverage to 11,690 square miles, make changes in antenna system, and change type of transmitter.

NEW—E. A. Stephens, Fred Weber, & H. G. Wall, d/b as Stephens Broadcasting Co., New Orleans, La. (P. O. Hotel Monteleone, New Orleans 12, La.)—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be determined by chief engineer of FCC, and coverage to be supplied.

NEW—Merrimac Broadcasting Co., Inc., Lowell, Mass.—Construction permit for a new FM broadcast station to be operated on frequency as assigned by FCC, and coverage to be determined. Amended: to change frequency to Channel #30, **93.9 mcs.**, and transmitter site from North Andover, Mass., to Andover, Mass.

NEW—Dorothy S. Thackrey, Los Angeles, Calif. (P. O. 75 West St., New York, N. Y.)—Construction permit for a new FM broadcast station (rural) to be operated on frequency and coverage to be assigned by FCC.

NEW—Unity Corporation, Inc., Erie, Penna.—Construction permit for a new FM broadcast station to be operated on frequency to be decided by the FCC and coverage of 4,940 sq. mi. Amended: to change coverage from 4,940 square miles to 673 square miles.

NEW—The Messenger Publishing Co., Athens, Ohio—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **49.1 mcs.**, coverage of 8,940 square miles. Amended: to change coverage from 8,940 square miles to 13,300 square miles, poulation from 444,946 to 769,000 and make changes in

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antenna system and change transmitter site to "on a hill South of Athens, Ohio."

NEW—Board of Education, Sewanhaka High School, Floral Park, N. Y.—Construction permit for a new noncommercial educational broadcast station to be operated on frequency not specified, power of 250 watts and special emission for FM. Amended: to change type transmitter and antenna system.

NEW—Wabash Valley Broadcasting Corp., Terre Haute, Ind. (P. O. 308 Fairbank Block)—Construction permit for a new FM (Metropolitan) broadcast station.

NEW—Amalgamated Broadcasting System, Inc., Chicago, Ill. (P. O. 11-15 Union Square, New York 3, N. Y.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency as determined by the FCC and coverage as determined by the FCC.

NEW—George M. Ives, Brookfield, Ill. (P. O. 4221 Arthur Ave.)—Construction permit for a new FM (Community) broadcast station to be operated on Channel #81 (**104.1 mc.**) and coverage of 1,372 square miles.

NEW—J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co., Columbus, Ga. (P. O. 1420 2nd Ave.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #40 (**95.9 mc.**) and coverage of 12,600 square miles.

NEW—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn. (P. O. 310 State St.)—Construction permit for a new FM (rural) broadcast station to be operated with coverage of 30,083 square miles.

NEW—The Yankee Network, Inc., Portland, Maine—Construction permit to change frequency from **43.9 mc.** to Channel #50, **97.9 mc.**, change coverage from 31,000 square miles "to be furnished," move studios from Boston, Mass., to Portland, Maine, and make changes in antenna system, and install new equipment.

NEW—Crescent Broadcast Corp., Philadelphia, Penna. (P. O. 1017 Public Ledger Bldg.)—Construction permit for a new FM broadcast station to be operated with coverage of 9,300 square miles.

NEW—Flint Broadcasting Co., Flint, Mich. (503 S. Saginaw St.)—Construction permit for a new FM Broadcast station to be operated on Channel #58 (**99.5 mc.**) and coverage of 5,850 square miles.

NEW—The Independent School District of the City of El Paso, Texas, El Paso, Texas (P. O. 100 W. Rio Grande St.)—Construction permit for a new noncommercial educational broadcast station to be operated on frequency not specified, power of 1 KW. and special emission for FM.

NEW—F. F. McNaughton, Peoria, Ill (P. O. 20 South 4th St., Pekin, Ill.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage to be filed.

TELEVISION APPLICATIONS

NEW—Allen B. DuMont Laboratories, Inc.. Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (**50-56 mc.**) with ESR of 155. Amended: to change frequency to Channel #5 (**76-82 mc.**), ESR to 172, make changes in antenna system and change in visual transmitter.

NEW—Sherron Metallic Corp., Huntington, N. Y. (P. O. 1201 Flushing Ave., Brooklyn, N. Y.)—Construction permit for a new commercial television broadcast station to be operated on Channel #5 (**76-82 mc.**), with ESR not specified.

NEW—Comerford Publix Theatres Corp., Scranton, Penna. (P. O. 207 Wyoming Ave.)—Construction permit for a new commercial television broadcast station to be operated on Channel #12 (**204-210 mc.**), with ESR of 2057.

NEW—Wm. Penn Broadcasting Co., Philadelphia, Penna. (P. O. 1528 Walnut St.)—Construction permit for a new commercial television broadcast station to be operated on Channel #10 (**192-198 mc.**), with ESR of 2980.

NEW—Worcester Telegram Publishing Co., Inc., Worcester, Mass. (P. O. 20 Franklin St.)—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (**44-50 mc.**), with ESR of 3260.

NEW—Television Productions, Inc., San Francisco, Calif. (P. O. 5451 Marathon St., Hollywood, Calif.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (**66-72 mc.**), with ESR of 14800.

MISCELLANEOUS APPLICATIONS

WATX—The Regents of the University of Michigan, Ann Arbor, Mich.—Modification of construction permit (B2-PED-26, as modified) to change frequency to "to be determined by FCC," change power to "to be determined," change type of transmitter to "to be determined," change transmitter site (same description). Amended: to request extension of time from 12-16-45 to 6-16-46, only.

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Construction permit to increase power from 250 watts to 10 KW., install new transmitter and directional antenna for a day and night use, and change transmitter location from Seattle, Wash., to Portage on Maury (Vashon) Island, Washington. Amended: to change transmitter location.

WARM—Union Broadcasting Co., Scranton, Penna.—Acquisition of control of licensee corporation by Martin F. Memolo through licensee corporation's purchase of 124 shares common stock (49.6% outstanding) from Lou Poller.

WKVM—American Colonial Broadcasting Corp., Arecibo, P. R.—License to cover construction permit (B-P-3564 as modified) which authorized a new standard Broadcast Station.

WKVM—American Colonial Broadcasting Corp., Arecibo, P. R.—Authority to determine operating power by direct measurement of antenna power.

KMO—Carl E. Haymond, Tacoma, Wash.—License to cover construction permit (B5-P-3782) which authorized changes in auxiliary transmitting equipment.

NEW—Electronic Time, Inc., New York, N. Y.—Construction permit for a new developmental broadcast station to be operated on **25-30 mc.**, power of 2 kilowatts and A3 emission.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why cease and desist orders should not be issued against it.

Victor Importing Company, 302 Fifth Avenue, New York, engaged in the wholesale distribution of domestic and imported merchandise, including imitation pearls and cultured pearls, are charged in a complaint with misrepresentation. (5403)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Herman S. Beck, trading as Beck's U. S. Approved Hatchery, Mt. Airy, Md., selling and distributing chicks, ducklings and other poultry, has stipulated that he will cease and desist

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from the use of the words or terms "**U. S. Approved Hatchery,**" "Approved Hatchery," "U. S. Approved Breeders" or expressions of like import as descriptive of his business until such time as he may actually participate in the National Poultry Improvement Plan and be properly entitled to such designation or description and from use of the words "pullorum passed" or "State pullorum bloodtested" as descriptive of fowls that have not been duly tested for pullorum disease under the supervision of an official State agency cooperating in the National Poultry Improvement Plan. (4115)

Burrell Cutlery Company, Inc., Ellicottville, N. Y., selling and distributing barber tools designated "Top flight" to various Army units in different States, and S. R. Droescher, Inc., 79 Warren Street, New York, which has purchased such tools from Burrell Cutlery Company and in turn sold the products in commerce, have stipulated that they will cease and desist from certain misrepresentations of the products. (4116)

Endicott Johnson Corp., Endicott, New York, manufacturing and selling shoes, has stipulated that they will cease and desist from branding, labeling, selling or offering for sale merchandise under any representation which imports or implies that such merchandise was manufactured for the armed forces of the United States or under Army or Navy specifications, or otherwise that it is Army or Navy merchandise unless the same, in fact, is regulation Army or Navy merchandise; provided, however, that if merchandise actually has been manufactured under an Army or Navy contract but has been rejected by official inspectors or has been determined by the manufacturer as not complying with specifications, then in such case any representations importing or implying that the merchandise was manufactured under an Army or Navy contract, wherever they may appear, shall be immediately accompanied in equally conspicuous type by a definite statement to the effect that the same has been rejected after official inspection, is of inferior quality, or otherwise does not comply with Army or Navy specifications or requirements as the case may be. (4114)

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 49, December 7, 1945

FCC ANNOUNCES FIVE SETS OF HEARINGS

The Federal Communications Commission has announced the scheduling of hearings on 271 matters during January, February and March, 1946. The hearing calendar fixes a definite date for every matter on which the Commission has heretofore ordered that a hearing be held. The schedule provides for five sets of hearings—three in Washington and two in the field—running simultaneously throughout the first three months of 1946.

An alphabetical list of the matters scheduled for hearing, has been mailed to all concerned, and is also available at the Commission, giving docket number, hearing date and place of the hearing. The name of the presiding officer is also shown where the hearings are scheduled to be held in the field and a member of the Commission has been designated to preside. In all such cases the Commissioner designated will immediately assume full control of the proceedings, including the handling of all motions, making arrangements for any pre-hearing conferences, and making any necessary or desirable adjustments in the hearing schedule. For example, 17 matters involving a number of different Texas communities are scheduled for hearing in Dallas, Texas, between January 21, 1946 and February 9, 1946. It is contemplated that the Commissioner designated to preside at those hearings will make arrangements and subsequently announce the scheduling during those same three weeks of a number of those proceedings in the Texas communities which are involved rather than in Dallas.

The Commission's release on this matter states that:

"In scheduling hearings in broadcast matters the Commission has arranged to hold as many of the hearings as possible in or near the community affected. In these cases every effort will be made to arrange for a member of the Commission to preside.

"It has not been possible to schedule for hearing in the field cases which involve substantial engineering questions because it is felt that both from the standpoint of the Commission's Engineering Department and the private engineering consultants such questions can best be heard in Washington. And even in those cases which are set for hearing in the field it is contemplated that at the discretion of the presiding officer evidence on substantial engineering questions will be heard in Washington either before or after the session in the field. It has been impossible to avoid setting for hearing on the same day two matters in which, according to the Commission's record, a particular consulting engineer is retained. However, since all substantial engineering questions will be heard in Washington, it is believed that appropriate arrangements can be made so that it will be possible for the consultant to testify in both proceedings.

"In scheduling these hearings the Commission has made every effort to avoid setting for hearing on the same day two matters in which, according to the Commission's records the same individual attorney is appearing. It has, however, been impossible to avoid conflicts with respect to law firms and in some instances the same firm of attorneys is scheduled to appear in as many as three simultaneous hearings. However, in all such cases the firms involved are known to have at least three members who are admitted to practice before the Commission.

"In preparing this schedule it was, of course, necessary to make an estimate of the maxmium amount of time which hearings could be permitted to consume. The Commission has arranged this entire schedule upon the premise that no hearing on a single broadcast application—including direct testimony and cross-examination shall consume more than one full hearing day. Accordingly, for consolidated proceedings involving two applications the Commission has allotted two days, where there are three applications three days are set aside, etc. Parties are urged to prepare and present their cases in a manner which will prmit the maintenance of this schedule.

"In view of the crowded condition of the hearing docket it will not be possible for the Commission to entertain requests that particular hearings be postponed for a specified period of time, such as 30 days. Such postponements would inevitably result in conflicts with other hearings which are today being scheduled. Accordingly, if for good cause shown it appears that a case cannot be heard on the date specified in the attached calendar, it will be removed from the calendar for rescheduling at a subsequent date, which probably could not be before April 1946.

"Copies of this notice are being mailed to all parties concerned."

CHANGES IN HEARING PROCEDURE IN BROADCAST CASES

The FCC has issued the following announcement:

"Because of the unprecedently heavy volume of hearings in broadcast cases which are scheduled for the near future, the Commission is desirous of simplifying its hearing procedures as much as possible. With this end in view the Commission has made the following changes in its hearing procedures which will be effective until further notice.

"1. *Petitions to Intervene.*—Petitions to intervene must be filed with the Commission not later than 15 days after the issues in the hearing have first been made public. Any person desiring to file a petition after such 15 days must set forth the reason why it was not possible to file the petition within the prescribed 15 days. Unless good cause is shown for delay in filing, the petition will not be granted.

"2. *Motion to Enlarge the Issues.*—Motions to enlarge the issues must be filed with the Commission not later than 15 days after the issues in the hearing have first been made public. Any person desiring to file a motion to enlarge the issues after such 15 days must set forth the reason why it was not possible to file the motion to enlarge the issues within the prescribed 15 days. Unless good cause is shown for delay in filing, the motion to enlarge the issues will not be granted.

"3. *Proposed Findings.*—In general, parties will not be required to file proposed findings of fact and conclusions of law with the Commission unless they are specifically directed to do so by the Commission. The non-filing of such proposed findings where there is no direction by the Commission that they be filed will not constitute a waiver by the parties of any rights. Any

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NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Special Counsel;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

party not directed to file proposed findings of fact and conclusions of law may do so if he desires by notifying the Commission of his intention before the record is closed.

"The Commission will study carefully these temporary modifications in broadcast procedure. If any hardships result, appropriate changes will be made. If these changes prove to be successful, the Commission will give consideration to adopting them as part of its regular procedure in broadcast cases."

Department of Broadcast Advertising

NEW STANDARD CONTRACT FORM

Sales Managers Executive Committee and subcommittees in a week of meetings in New York (Nov. 26-30) renegotiated a standard contract form with a parallel subcomittee of the American Association of Advertising Agencies, and took a number of other far-reaching steps to make it easier for advertisers to buy radio and to elevate the standards of sales practices.

The new standard contract form emerged from months of subcommittee meetings to win the approval of the Sales Managers Executive Committee and the 4A subcommittee. Next it goes to the NAB Board and 4A board, thence to the membership, for ratification. The long series of conferences, although necessarily of give-and-take character, resulted in tighter provisions for radio's control of its own program content and provides that any program may be cancelled by the station for substitution of any other program deemed to be of public interest, it limits the station's liability for such pre-emptions, and endeavors to foresee possible future interruptions in broadcasts due to labor difficulties, recurring acts of God, etc., limiting the station's liability in each case. Agencies' request for payment of commission on pre-empted or cancelled broadcasts was denied. New form also provides:

Extension from 14 to 28 days' notice of program cancellation by agency (announcement notice remains at 14 days); provision for stations to furnish "certifications" instead of sworn affidavits covering broadcasts, and for these not to be conditions precedent to payment unless requested in advance; for payment of liquidated damages to station if agency breaches contract, and vice versa, with rebate on non-cancellable talent charge not to exceed cost of time; right to broadcast substitute program if agency material not received 72 hours prior to air time, and notification at agency's expense; deduction of not more than 30 seconds from any program for station-break purposes; reasonable charge for all extra services provided by station in handling mail, telegrams or materials connected with programs, and provision that station need not broadcast for any sponsor or product not named on contract unless station's written consent is given.

Final form, with moot points admittedly compromised for the sake of advertiser-station uniformity, is considered a definite improvement over the form now in use. Copies of the new form and matrices for economical printing will be furnished all stations if NAB Board and industry approval is obtained, and if 4As approve.

NAB subcommittee members were Walter Johnson, WTIC, chairman; Frank Webb, WGL; Ben Laird, WOSH; Howard Meighan, CBS; Lewis Avery, station representative; James McConnell, NBC; John Morgan Davis, NAB Counsel, and Frank E. Pellegrin, NAB Broadcast Advertising Director.

4A subcommittee included Carlos Franco, Young & Rubicam, chairman; Linnea Nelson, J. Walter Thompson; Charles Ayres, Ruthrauff & Ryan; Frank Silvernail, BBD & O; Judge George Link, 4A Counsel; Fred Gamble, 4A president, and Herald Beckjorden, 4A assistant secretary.

Advertising Agency Recognition Bureau

NAB Sales Managers subcommittee on this subject recommended that a presentation be submitted to the NAB Board and the industry at forthcoming district meetings, pointing out pros and cons of the proposal to set up a radio bureau for establishment of minimum advertising agency standards, and recognition for placement of radio accounts. The Executive Committee approved and relayed the recommendation to the Board.

Meantime, research and preparation of the presentation is in progress, directed by Stanton P. Kettler, WMMN, chairman; Harold Soderlund, KFAB; William Doerr, WEBR, and Lew Avery.

Audience Measurement

Subcommittee on this subject, in meeting with Research subcommittee, requested a thorough study of current research methods with full explanation to radio men and advertisers. After this study is completed, next step will be to outline if possible several sets of standards for national as well as local audience measurement research, in an effort to minimiz confusion now existing in some agencies where multiplicity of local research studies, based on questionable standards, do radio as much harm as good, in the opinion of the 4A Timebuyers committee.

Handling this project are Frank Webb, WGL, chairman; Henry Crystal, Edward Petry Co.; Cecil Beaver, WOAI, and Howard Meighan, CBS, with J. C. Tully, WJAC, chairman of NAB Research Committee, Dale Taylor, WENY, and Mrs. Helen Schaefer, NAB assistant research director, assisting.

Limitations of Commercial Copy

As requested by NAB Board, the sales managers discussed present limitations in the "Standards of Practice" and voted to recommend to the Code Committee and the Board a further restriction on copy in 5-minute news programs to one minute 15 seconds, instead of the one minute 30 seconds now provided; recommended that in Musical Clock programs sold in time segments to one advertiser, the same limitations should apply as are now provided for other programs; recommended that in participating announcement, musical clock and shoppers' guide programs, a limit of three advertisers be placed on each 15-minute segment, with total commercial time not to exceed 20% of program time.

Code committee members participating in this discus-

(Continued on next page)

sion with the full Sales Managers committee were William Hedges, NBC; Jan Schimek, CBS, and Willard Egolf, NAB.

Rate Card Standardization

A year's study on various forms of rate card presentation now in use resulted in a report by this subcommittee, showing five different forms most widely used, listing advantages and disadvantages of each. Proposal is that these five cards will be explained to the industry at forthcoming district meetings, with each station free to choose the one which best suits its requirements and policies, but with all providing essential information in substantially the same order. Purpose, again, is to "make it easier for more buyers to use radio," as timebuyers have complained bitterly over present time-consuming variations.

On this subcommittee are Arthur Hull Hayes, CBS, chairman; William Doerr, WEBR; K. K. Hackathorn, WHK, and J. Kelly Smith, CBS.

Other Action Taken

The committee heard an outline by A. D. Willard, NAB executive vice president, of present criticism of all forms of advertising, and set up a subcommittee on Sales Practices consisting of John Outler, WSB, chairman; Lincoln Dellar, KXOA; Odin Ramsland, KDAL; Craig Lawrence, the Cowles stations, and Henry Crystal, Edwary Petry Co.

Voted against granting 2% cash discount to advertising agencies as a matter of industry policy, leaving this as a decision for each station to make.

Agreed to continue present practice of combining all advertising placed by one sponsor, even though placed by different agencies, to earn combination or gross discounts.

Asked Research Committee to explore possibilities of reviving some form of the old "Broadcast Advertising Record," to furnish radio a record of retail advertising volume.

Voted to distribute radio sales material to schools of advertising and journalism.

Heard a progress report on the Joske clinical test of radio advertising, and appointed a subcommittee to direct preparation of the final reports, to consist of Cecil Beaver, WOAI, chairman; Arthur Hull Hayes, CBS; Lew Avery, station representative, and Walter Johnson, WTIC.

Appointed Avery and Hayes to arrange radio representation at coming NRDGA convention in New York, week of January 9.

Declared that number of announcements or programs sold on any one station in any time segment to a single advertiser should be controlled, to prevent domination by one or a few sponsors.

Directed the preparation of a list of manufacturers who will cooperate with local dealers in radio advertising.

Requested Code Committee to make study of network hitch-hike announcements and submit recommendations.

Heard Hugh Feltis, BMB president, outline progress and proposed services of BMB, stressing sales value of the standard measurements to be obtained.

Appointed a subcommittee to develop a standard definition for "spot sales," to consist of Beverly Middleton, WSYR, chairman, and John Blair, station representative.

James McConnell, NBC, chairman of the Sales Managers Executive Committee, presided.

SMALL MARKET STATIONS

J. Allen Brown, assistant director of broadcast advertising who will devote his attention principally to problems of small market stations, reported for duty December 1.

Now orienting himself in his new post and studying the files and past activities of the NAB Small Market Stations Committee, Brown is compiling an agenda for the series of small market stations conferences that will be a part of the NAB district meetings in January-February-March. Suggestions are invited.

Already in progress is a spot-check survey he is making of methods of remunerating salesmen in small stations. A "management study" of small market stations is under consideration, to bring to all managers in this field the best suggestions, methods and techniques worked out over the past 25 years by successful operators.

MISS CORNELIUS SPECIAL COUNSEL

Helen A. Cornelius, former Assistant Director of Broadcast Advertising, has been named Special Counsel on Retail Broadcast Advertising to the National Association of Broadcasters, it was announced today.

Miss Cornelius has been with the Association since September 1944, as Assistant Director of Broadcast Advertising, when she joined NAB to assist Lewis H. Avery, the former Director of Broadcast Advertising, in organizing and laying the plans for the Joske Clinical Test of Retail Broadcast Advertising in San Antonio, Texas, which test comes to a conclusion the end of this month.

As Assistant to Mr. Avery, Miss Cornelius devoted her attention to the retailers' and the NAB stations' broadcast advertising problems, contacting many merchants and stations throughout the country while making the District Meeting Tour last January through April, and working diectly with the Radio Department of the Sales Promotion Division of the NRDGA.

Active for many years in the advertising, promotion and publicity fields, she will re-establish her own counseling and advisory business which she closed to take an active part in government during the war.

As Merchandise Editor of Harper's Bazaar, she was close to both the retailer, apparel and home furnishing manufacturers of the country. Later, in her own promotion business, and as a survey specialist in the OCR of the WPB, she widened the scope of her activities in the wholesale chain store and mass market fields. Her other former connections include the Advertising and Publicity Department of the J. L. Hudson Company, Detroit, Michigan; the Elizabeth Arden Cosmetic Company, where she was Advertising, Promotion and Publicity Director; the Gotham Hosiery Company; the Daniel Green Slipper Company, and John Wanamaker in Philadelphia, for whom she acted as counselor and advisor on promotion, advertising, styling, distribution, etc.

Miss Cornelius will be available to NAB for conferences and consultation in retail broadcasting, as occasion demands.

Active for years in the affairs of the Advertising Federation of America, she is now Secretary of the Board of the Advertising Federation of America, a charter member of the original Fashion Group of New York City, and also a member of the Women's Advertising Club of Washington.

Miss Cornelius's headquarters will be in New York City after January 1, 1946.

Engineering

FRAZIER TO ENTER PRIVATE PRACTICE

President Justin Miller announces the resignation of Howard S. Frazier, director of engineering, effective Dec. 31.

(Continued on next page)

Frazier was appointed director of engineering on Aug. 1, 1942, coming to NAB from the Radio Corporation of America where he was a sales engineer in charge of U. S. Navy contracts. Prior to his affiliation with RCA, he had been the owner and manager of Station WSNJ, Bridgeton, New Jersey.

No announcement has been made concerning a successor to the NAB engineering post.

Frazier will continue as acting director of engineering in order to complete certain projects now underway in the Engineering Department. He will continue his work in connection with the new NAB Engineering Handbook now in preparation, and will serve as the NAB representative in the capacity of vice-chairman of the Radio Technical Planning Board, and chairman of Panel 4. He will also continue as chairman of the RMA Subcommittee on Satellite Transmitter Standards until the project is completed.

Frazier will open offices as a Radio Management Consultant at 1730 Eye Street, Northwest, Washington, D. C. He announces that his practice is expected to include broadcast station management and organizational studies, broadcast station appraisals, advertising rate studies, program policy recommendations, market evaluations and merchandising counsel to manufacturers of broadcast station equipment.

Miss Helen Jean Morris. NAB Engineering Deptment secretary since Dec. 1941, has resigned from NAB and will continue as Mr. Frazier's secretary in the new offices.

F M

CALDWELL-JETT EXCHANGE OF CORRESPONDENCE

In order to clarify what has been represented in certain publications as a controversy, there is reproduced below the exchange of correspondence between O. H. Caldwell, editor of "Radio and Television Retailing," and FCC Commissioner E. K. Jett. Commissioner Jett subsequently cited, in support of his letter, the Commission's action of September 4, 1945, in its statement of policy for the processing of FM applications, in which it appears that:

". . . Moreover, until such time as it appears that receivers for the new band are generally available to the public and owners of existing receivers have had the opportunity to adapt or convert them to the new band, licensees will also be permitted to continue operation on their existing assignment in the old band. However, when receivers and converters are available for the upper frequencies, dual operation will be terminated."

The letter follows:

Editor Caldwell's Letter

November 8, 1945

Dear Commissioner Jett:

I am writing you as an FM listener who during the past 5 years has come to rely greatly on the FM channels for noiseless reproduction of fine music, at my home in the country near Greenwich, Conn.

But as 1946 approaches, I am considerably concerned at what may happen to us FM listeners if you shut down the present 40-50 mc. FM band.

From what I have been able to find out, FM service on the new 100-mc. band to which FM has been ordered, may be expected to be low in signal strength, limited in radius, and with few stations available in particular areas for some months or years to come.

Further, as I interpret your regulations, transmitter power of splendid stations which are now serving as listeners so adequately, will be cut to a few per cent of their former ratings. Rural service in the East will be pretty well wiped out.

Knowing that it is the Commission's responsibility to serve the public interest, convenience and necessity, I would respectfully urge that your body delay ordering the complete shut-down of the 40-mc. channels for some months or possibly a year or two—*until* FM experience and development has fully progressed on the *new* channels.

Such a course would parallel the Commission's recent very wise action with respect to television, wherein you authorized its continued operation on the present familiar television channels, while permitting experimentation in the higher frequencies.

Certainly FM should be granted the same opportunity. Such a course will permit FM to demonstrate its present matchless service to a larger public on its present familiar channels during the period the new 100-mc. service is developing and being made satisfactory for public use. Unless the 40-mc. band is thus continued for the time being, I foresee an immediate loss to us listeners of FM's fine service, and a delay in public appreciation and acceptance of FM's merits, for several years. This will in turn delay employment of thousands in the new FM industry which had been looked upon by most radio men as the No. 1 opportunity for radio industry reconversion.

No one understands better than I do the difficulties which confront your body, nor better appreciates the high standards of public service which animate your members and organization.

But committed as you are by law to serve the public interest, I see your only alternative to that end, as things now stand, to be in permitting 40-mc. FM operation to continue during a transitory period of indefinite length, while the 100-mc. band is being made ready for public use.

To deny such use of the 40-mc. band for FM listeners during 1946, will be a distinct injury to the public interest, to millions of listeners, and to great rural areas—as well as a blow to employment of thousands in the promising new FM industry.

Respectfully,
O. H. CALDWELL, *Editor*,
Radio & Television Retailing.

Commissioner Jett's Reply

November 14, 1945.

Dear Mr. Caldwell:

I wish to thank you for your letter recommending that the existing FM band, 44-50 mc., be continued until service is available on the higher frequencies. As you know the Commission has granted about 125 applications for new FM stations in addition to providing new assignments for existing licenses and permittees. Since there are about 500 more applications it is reasonable to assume that several hundred will be approved by the end of 1945. This should result in the construction of a large number of stations during 1946, which will enable the Commission to determine whether the existing frequencies should be continued or turned over to television. At any rate I can assure you that we do not intend to close the present band until service is generally available in the new band.

Sincerely yours,
E. K. JETT, *Commissioner*,
Federal Communications Commission,
Washington 25, D. C.

23 MORE FM GRANTS

The Federal Communications Commission has announced 23 additional grants of new FM stations, bringing the present total number of conditional grants to 197. Over 300 applications yet remain to be acted on.

At the same time 15 applications for the Cleveland-Akron area, 7 in the Providence-Pawtucket area, and 8 in the Indianapolis, Ind., area were designated for hearing.

The effect of these conditional grants, the Commission states, is to announce the fact that the Commission has examined the qualifications of the respective applicants,

(Continued on next page)

has been satisfied with respect thereto, and has made available a channel for each grantee. The Commission will now examine each applicant for its engineering details, and in each individual circumstance a grantee may be requested to file within a period of 90 days of such request such additional engineering and other data as may be necessary.

"Under this procedure," says the Commission, "grantees are enabled to proceed promptly with their preliminay plans for obtaining certain items of equipment, programming and other details necessary to the establishment of their proposed stations. The proposals of each grantee relating to transmitter power and antenna height are still under review, and each will be notified if any further data is necessary in this connection."

The 9 applicants in the Cleveland area are: United Broadcasting Co.; National Broadcasting Co., Inc.; WJW, Inc.; United Garage and Service Corp.; International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO); WGAR Broadcasting Co.; Scripps-Howard Radio, Inc.; Telair Company; Cleveland Broadcasting, Inc. The 6 Akron applicants are: Allen T. Simmons; Summit Radio Corp.; United Broadcasting Co.; The Akron Radio Corp.; Knight Radio Corp., and Telair Company.

The 7 Providence-Pawtucket area applicants are: The Outlet Co.; Cherry & Webb Broadcasting Co.; Providence Journal Co.; A. A. Schecter; The Yankee Network, Inc.; Colonial Broadcasting Co., and Pawtucket Broadcasting Co.

The 8 Indianapolis area applicants are: The Wm. H. Block Co.; Evansville on the Air, Inc.; WFBM, Inc.; Scripps-Howard Radio, Inc.; Indiana Broadcasting Corp.; Capitol Broadcasting Corp., Inc., Universal Broadcasting Co., Inc, and Indianapolis Broadcasters, Inc.

Following is a list of the grants:

City	*Grantee*	*Interest in Standard Station*	*Type of FM Station*
	ALABAMA		
Birmingham	The Birmingham News Co.	WSGN	Metropolitan, possibly Rural
	CALIFORNIA		
Palo Alto	Peninsula Newspapers, Inc.	—	Community
Stockton	E. F. Peffer	KGDM	Metropolitan, possibly Rural
	GEORGIA		
Valdosta	E. D. Rivers	WGOV	Metropolitan, possibly Rural
	ILLINOIS		
Quincy	Quincy Newspapers, Inc.	WSOY	Metropolitan
Rockford	Rockford Broadcasters, Inc.	WROK	Metropolitan
	LOUISIANA		
Alexandria	Central La. Broadcasting Corp.	—	Community
	MARYLAND		
Frederick	The Monocacy Broadcasting Co.	WFMD	Metropolitan
	MASSACHUSETTS		
Haverhill	The Haverhill Gazette Co.	—	Metropolitan
Salem	North Shore Broadcasting Co.	WESX	Community
	MICHIGAN		
Ann Arbor	Washtenaw Broadcasting Co.	WPAG	Metropolitan
Escanaba	John P. Norton	—	Metropolitan
	NEW HAMPSHIRE		
Portsmouth	WHEB, Inc.	WHEB	Metropolitan
	NEW YORK		
Jamestown	James Broadcasting Co., Inc.	WJTN	Metropolitan
Troy	The Troy Record Co.	—	Metropolitan
	OHIO		
Youngstown	WFMJ Broadcasting Co.	WFMJ	Metropolitan
Youngstown	WKBN Broadcasting Corp.	WKBN	Metropolitan, possibly Rural
	PENNSYLVANIA		
Bethlehem	The Bethlehems' Globe Publishing Co.	—	Metropolitan
Lancaster	Peoples Broadcasting Co.	—	Metropolitan
Meadville	H. C. Winslow	—	Metropolitan
Uniontown	Fayette Broadcasting Corp.	WMBS	Metropolitan
York	Susquehanna Broadcasting Co.	WSBA	Metropolitan
	WEST VIRGINIA		
Huntington	Huntington Broadcasting Corp.	—	Metropolitan

MORE REPLIES TO FM NUMBERING POLL

The following replies, in addition to those published in recent issues of NAB Reports, have been received by Robert T. Bartley, director of NAB's FM Department:

ALL FM RECEIVERS TO BE MANUFACTURED BY THIS COMPANY WILL USE THE RECOMMENDED DIAL NUMBERING SYSTEM BEGINNING WITH NUMBER 201 FOR 88.1 MEGACYCLES AND SO FORTH. WE AGREE WITH THE BROADCASTERS THAT CHANNEL NUMBER IDENTIFICATION IS VERY IMPORTANT. THE MEGACYCLE IDENTIFICATION WOULD TEND TO CREATE CONFUSION IN THE MIND OF THE LAY USER.

A. R. Ogilvie, Maguire Industries, Inc.

WE WILL BE HAPPY TO CONFORM WITH THE DECISION OF THE RMA IN THIS MATTER. IF THEY SO DECIDE WE WILL NATURALLY NUMBER EVERY 10TH CHANNEL AND OUR DIALS WILL BE NUMBERED 200, 210 AND SO ON UP TO 300.

Oscar Dane, Templeton Radio Manufacturing Corp.

IT SEEMS TO US THE SIMPLEST METHOD OF NUMBERING WOULD BE TO NUMBER THE BANDS CONSECUTIVELY 1 TO 3 AND SO FORTH INSTEAD OF 201, 202, 203 AND SO FORTH. ANY NEW CHANNELS WHICH ARE ASSIGNED WILL OF COURSE CARRY THEIR NUMBERS AND COULD EASILY BE IDENTIFIED IN THE SAME MANNER.

Mr. Pinsley, Espey Manufacturing Co., Inc.

THE RMA RECEIVER COMMITTEE WILL UNDOUBTEDLY FORMULATE THE RECEIVER MANUFACTURERS COMMENTS ON THE CHANNEL NUMBERING ASSIGNMENTS IF IT HAS NOT ALREADY DONE SO. WE HAVE MADE NO ATTEMPT TO CANVASS OUR LICENSEES ON THIS QUESTION.

R. H. Langley, Hazeltine Electronics Corp.

APPROVE CHANNEL NUMBERING

W. S. Harmon, Vice President-Engineering,
Hoffman Radio Corp.

FROM THE COMMERCIAL POINT OF VIEW WE FAVOR DIAL MARKINGS AS SUGGESTED BY THE FCC THAT IS NUMBERING THE FM CHANNELS FROM 201 TO 300 INSTEAD OF USING THE MEGACYCLE CALIBRATION MARKINGS. I UNDERSTAND FROM OUR ENGINEERS THAT RMA HAS APPOINTED A COMMITTEE TO STUDY STANDARDIZATION OF MARKINGS ON FM DIALS AND THAT THIS COMMITTEE WILL MEET ON DEC. 5. OUR FINAL DECISION WILL OBVIOUSLY HAVE TO AWAIT THE RESULTS OF THIS RMA MEEING.

J. K. West, Director Public Relations,
Radio Corporation of America.

RMA ON FM DIALS

Mr. Dorman Israel, chairman of the Receiver Division of the Engineering Department of the Radio Manufacers Association, has announced that a resolution was adopted at their meeting in New York City, Dec. 5, in which it was resolved that from a strictly engineering basis that a recommendation be made that receiver dials in the FM band be numbered in megacycles. He pointed out that the resolution was one based purely on an engineering basis and did not consider the commercial angles. This action is subject to approval by the Receiver Set Division of RMA which will meet in January.

Programming

Agricultural Directors Meet

The Committee appointed in July to consider agricultural broadcasting and originally named the Farm Program Directors Committee, met in Chicago on Tuesday and Wednesday (Dec. 4-5) to consider objectives and methods for accomplishing better programming in the field of agricultural broadcasting. Their two-day deliberation resulted in the adoption of the following recommendation to the Board of Directors, to be submitted at the Board meeting on January 3-4.

"Your committee of Agricultural Directors at a meeting in Chicago on December 4 and 5, called by the Secretary of NAB, considered and arrived at the following conclusions and recommendations:

"We believe the work of the Agricultural Committee should be directed toward a closer relationship between commercial radio broadcasting, farmers and ranchers, Governmental agencies and farm organizations; closer relations with advertising agencies and other groups interested in reaching farm people through the medium of radio; developing closer relationships and fuller understanding between farm radio broadcasting and station management; effecting a programming of farm radio broadcasts which will keep this type of service on a high plane; assisting in developing farm radio broadcasting in sections of the United States and its possessions where it is now lacking; achieving, through the medium of radio, a fuller undertanding of agricultural problems by farmers and ranchers and a mutual understanding of their respective problems by farmers and urban residents.

"To accomplish these objectives, your Committee recommends that the National Association of Broadcasters adopt the following program for immediate action.

"1. The preparation of a brochure on agricultural broadcasting stressing the factors contributing to a well rounded and complete agricultural service by broadcasting stations. Such presentation should be prepared for use by management and possible distribution to advertising agencies, listeners and others interested in farm broadcasting.

"2. The development of closer working relations with the United States Department of Agriculture, other Governmental agencies dealing with agriculture and institutions of agricultural education and research.

"3. The arrangement of periodic regional discussions or clinics bringing together broadcasting management, farm radio broadcasters, representatives of the U. S. Department of Agriculture, other Governmental agencies dealing with agriculture, institutions of agricultural education and research, farm organizations, farmers and ranchers, and others interested in farm broadcasting to examine the possibility of extending the service of radio broadcasting to agriculture over commercial stations.

"4. The establishment for the convenience of station management of a guide for determining qualifications of competent agricultural broadcasters.

"5. An examination of the NAB Standards of Practice as they apply to agricultural broadcasting.

"In addition, your Committee, to maintain and extend the services of agricultural broadcasting, recommends the ultimate establishemnt of—

"1. An agricultural committee member for each of the 17 districts of the National Association of Broadcasters to work with station management in the respective areas.

"2. A plan for the establishment within the NAB of an Agricultural Director.

"Respectfully submitted
The Agricultural Directors Committee
Larry Haeg, Chairman."

Present at the meeting, in addition to Chairman Haeg, WCCO, were Layne Beaty, WBAP; Bill Moisher, KJR; Arthur C. Page, WLS; Herb Plamback, WHO; William Drips, NBC; Sam Schneider, KVOO; and John Merrifield. C. E. Arney, Jr., Secretary-Treasurer, represented the NAB staff at the meeting and acted as secretary of the Committee.

The meeting was held in conjunction with the National Association of Radio Farm Directors.

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"Telling the World" Report No. 4

Station Originations in Support Victory Loan

Period—November 18-24

(Network Originations Excluded)

Treasury Salutes		3,265
Music for Millions		3,327
Sing for Victory		1,720
Diary Personalities		2,235
Crosby Record		2,781
Gibbs Record		1,391
Wayne Record		1,452
Sports Personalities Speak		2,791
Industrial Leaders Speak		2,307
Wood Record		175
Stokes Record		227
Spots	Regular Length	45,135
	2-min	1,277
	3-min	433
Programs	5-min	659
	6-min	2
	7-min	4
	8-min	2
	10-min	422
	15-min	896
	20-min	2
	25-min	10
	30-min	175
	45-min	2
	1 hour	62
	1½ hours	11
	2 hours	21
	2¼ hours	16
	2½ hours	10
	2¾ hours	2
	3 hours	2

AFRS GETS 6 WBAP SHOWS

Three more WBAP-Fort Worth "Music from Your Hometown" programs were received by Armed Forces Radio Service last month. These masters, expressed to Los Angeles, Nov. 7, complete the station's commitment of six programs for global broadcast to military personnel.

FCC RURAL RADIO SURVEY

The Federal Communications Commission has released a summary of a report on a nationwide survey of the attitudes of rural people toward radio service which was prepared by the Division of Program Surveys of the Bureau of Agricultural Economics.

The Commission states that the report was prepared with the advice and consultation of Committee 4 of the group of committees developing information for the Commission's Clear Channel Hearing scheduled for January 14, and will be used as an exhibit in the hearing. This survey was undertaken to obtain information on the issue as to whether and to what extent the clear channel stations render a program service particularly suited to the needs of listeners in rural areas.

The Committee includes the Commission's chief economist and representatives of the Clear Channel Service, Regional Broadcasters, Broadcasters Measurement Bureau, American Broadcasting Company, Columbia Broadcasting System, National Broadcasting Company, Radio Technical Planning Board—Panel 4, National Council of Farm Cooperatives, Division of Statistical Standards of the Bureau of the Budget, as well as individual experts in the field of broadcast measurement.

The material in the report, says the Commission, is subject to further consideration in the light of testimony and evidence to be introduced in the hearing. The full text of the report may be inspected at the Commission offices.

The FCC release, *summary of a survey of attitudes of rural people toward radio, follows in full:*

(NOTE: The sample upon which the report is based is a representative cross-section of the rural households in the United States. It consists of 2,535 rural households in which 4,293 interviews were obtained, located in 116 counties. The term "rural household" as used in this study means a household located either in the countryside or in a town with a population of less than 2,500. Within each household an interview was taken with the principal member of each sex, unless the household contained adults of only one sex or the member of the opposite sex could not be interviewed. The households were selected by a method of stratified random sampling. The counties in the sample were selected on the basis of a carefully developed stratification of all counties in the United States. This stratification was made by dividing all counties into large geographic areas, and then within each of these areas, into relatively homogeneous groups according to socio-economic indexes based on about 12 variables. Within each group of counties the sample county was selected according to a table of random numbers. The choice of households within each sample county was made by an area sampling technique using large detailed maps or aerial photographs. All rural areas in each county were divided into segments of from 3 to 10 houses, which were stratified into geographic groups, and a segment was randomly selected from each group.)

Most rural people in the United States value radio highly. Three out of four "farm" and "rural non-farm" radio owners feel they would miss radio very much if it were inaccessible to them. Approximately the same proportion of former owners say they miss radio very much. Nearly nine-tenths of those rural dwellers who have not had radios for five years or more say they would like to have one. Radio has become a highly valued aspect of everyday living in most "rural homes" which have radios; a highly desired one in most of those homes that do not.

Radio is valued about equally by rural radio owners in each of the three major regions of the country, North (including the Northeast), South, and West. There are no great differences between farm and rural non-farm radio owners in this respect although the women of each of these groups somewhat more frequently value radio highly than do the men. Differences in education, income, and age seem to have little effect on the extent to which rural listeners feel thy would miss radio if they had to be without it. Rural listeners whose range of available stations is low and those whose reception difficulties are many place high value on radio about as frequently as those who have greater choice of stations and better reception. Those listeners, both men and women, who listen to their radios a good deal are more apt to value radio highly than are those who listen only a little.

Radio is valued by rural listeners for the two great functions it serves; as a source of news and other information and as a source of entertainment and company. When asked to explain why they would miss radio if they were to be without one, most men, especially the farmers, stress its importance as a source of news and information. A somewhat smaller number refer to its entertainment value. Among rural women, entertainment is more commonly given as a value of radio than is news, although almost as many farm women mention news as mention entertainment.

The importance of the news function of radio to rural people is demonstrated again when they are asked what kinds of program they would miss most if they had to go without radio service. News programs are mentioned in this connection by an overwhelming majority of rural people who now have radios; much more often than any other type of program. Farm men and women again exceed rural non-farm people somewhat in their emphasis on the importance of news programs. Farm men also much more often emphasize the value of programs giving market and weather reports, and talks on farming, than do non-farm men. When rural people who have radios are asked to name the kinds of programs they like best, the pattern of their tastes in radio becomes evident. In general, farm people select the more serious type programs. News and market reports, hymns and religious music, sermons and religious programs, and farm talks are given high preference by this group. Old-time music is preferred by approximately 50 per cent of the men and women of the farm group and the proportion naming it nearly doubles the proportion naming the entertainment program next most commonly mentioned.

While many rural non-farm men and women also list these programs as among those they like best, they do less commonly (with the exception of news programs). More often than farm people they name quiz programs, entertainment programs (with comedians and popular singers), and dance music as among their favorite programs. The rural non-farm men much more often like broadcasts of sports events than do farm men. The program preferences of rural non-farm people indicate a greater appreciation of the lighter aspects of radio service than is found among farm people.

When rural people are asked to name the type of program they don't care for, an additional aspect of rural tastes emerges. As indicated below, serial stories are the kind of program most commonly named as not liked; they are followed by dance music, and then by classical music. While man other types of programs are named as disliked by some rural radio listeners, these three types of programs seem most commonly to create strong feelings of rejection. Distaste for programs of classical music differs from dislike of serial stories or dance music in the fact that rural people who name classical music as a disliked program commonly say they do not understand such programs.

Approximately two-thirds of the farm people who have radios report listening to weather reports, market reports and talks on farming, many of them listening to such programs several times a week. A large majority of those farm people who listen to these programs feel that they are helpful to them. As might be expected, farm men are

(Continued on next page)

much more often interested in farm programs than are farm women.

Serial story programs occupy an unusual position in the attitudes of rural people. Among women, both farm and rural non-farm, they stand second only to news in the list of programs they say they would miss most if their radios failed them; yet they are also the type of programs most commonly not cared for by rural women. Rural women who have radios seem to divide into three large groups in their attitudes toward serial programs; those who like this type of program very much and would miss it greatly if they could not hear it, those who neither like nor dislike such programs, and those who actively dislike them. Very few rural men show any preference for serial stories and, like rural women, they most commonly name this type of program as the kind they do not care for. No other program creates such partisan attitudes among rural people as serial stories.

Generally speaking, rural people are not highly conscious of possible improvements in the program service they are now receiving. Over half of the rural people who have radios cannot think of any type of program they would like to hear more of than they do now when asked to name them. The suggestion offered by those who do name a kind of program are scattered over a variety of favorite programs and do not indicate any important specific discrepancies between listener needs and present program service. There is even less expression of awareness of possible improvements resulting from unsatisfied wishes for specific types of programs at particular hours of the day or evening.

The fact that rural radio listeners do not have many suggestions to offer concerning radio programming does not mean that they are undiscriminating regarding the programs that are available to them. There are large differences in the amount of time rural people spend listening to radio, among both men and women, and these are only partly accounted for by differences in time available for listening. Three out of four rural people report having their radios turned off at times because they do not care for the programs that were on; almost a third of the rural people say this happens very often. However, those listeners who say they listen to their radios only a little and keep them turned off very often because they are not interested in the programs are no more likely to suggest changes in the programs than are those people who say they listen much of the time and never have their radios turned off because of the programs.

Most rural listeners seem to take radio programming for granted. They may listen much or little, but they are not inclined to think of themselves as being in a position of judgment regarding the kinds of programs that should be on the air. Very few of these people have any point of reference, either actual or ideal, with which to compare present radio programming; as a consequence, they tend to accept the radio they know as the natural order of things.

About one in every four rural households has no radio in working order. About half of these homes have had radios within the last five years; most of these households say that they have not replaced or repaired their radios because of wartime shortages. Those rural households that have had no radio for over five years have most commonly gone without because they felt they could not afford it. There is a strong tendency for those households which have had no radio for five years or more also to lack the other major means of communication, telephones and daily newspapers.

RADIO CAREER FOR LA GUARDIA

An announcement by American Broadcasting Company states that Mayor F. H. LaGuardia, of New York City, will start a regular series of weekly broadcasts on national affairs over that network on January 6. The broadcasts will begin on the Sunday following the expiration of LaGuardia's present term as Mayor of New York City on December 31.

Liberty Magazine will sponsor.

PRESIDENT'S DAUGHTER LAUNCHES WRC DOLL HOUSE

Miss Margaret Truman, daughter of the President, launched WRC's "Doll House" campaign, to provide Christmas dolls for needy D. C. youngsters, Monday (3) when she presented the first doll to Carleton D. Smith, WRC general manager, and to Bill Herson, WRC "Timekeeper" who is conducting the campaign. Commissioner Guy Mason, Mrs. Carl A. Spaatz, wife of General Spaatz, AAF, and Milton Berle, star of "Spring in Brazil," also gave the Doll House a rousing send-off by appearing on a special dedication broadcast from the Doll House.

The campaign, which will continue through Saturday, Dec. 22, will aim to collect hundreds of dolls and toys so that every underprivileged youngster in the District of Columbia will have a new toy for Christmas. Dolls, of all shapes, sizes and color, will be solicited—preferably new or in good condition.

LOCAL COMMENTATORS LIKED

David Adams, who for 18 months monitored the broadcasts of over 100 U. S. commentators per week for BBC, makes the following observation in an article which appears in the Nov. 24 issue of *Canadian Broadcaster:*

"One thing that these surveys showed, was that a local commentator, widely known in his own community, was usually much more influential in that area than a network broadcaster who commanded a much wider audience."

RADIO'S PUBLIC SERVICE CITED

Recognition of radio's invaluable contribution to public service, because "the spoken word is the easiest message to comprehend," has been accorded the industry by the Minnesota Public Health Association meeting in St. Paul.

A resolution received by WCCO, Minneapolis, which had been adopted by the executive committee of the Association, further praised radio's effectiveness because "it penetrates the family circle in its most informal and therefore most persuasive moments."

The resolution was adopted in connection with the 29th annual Christmas Seal Sale, proceeds of which go to the National Tuberculosis Association and the American Heart Association.

Legal

SUPREME COURT UPHOLDS ASHBACKER

In a decision handed down on Monday (3) in the Ashbacker Radio Corp. vs. FCC case, the U. S. Supreme Court upheld Ashbacker's contention that it should have been given a hearing by the Commission on the 1230 kc frequency for which Ashbacker's WKBZ had applied as a change-of-frequency before granting it to another applicant for a new station.

Ashbacker's appeal to a lower court in protest to the FCC action has been dismissed in response to a motion filed by the FCC, which argued want of jurisdiction on the part of the court to entertain it.

The Supreme Court decision which is expected to have an important bearing upon future policy of the Commission in similar cases, is reprinted herewith in full:

(Continued on next page)

SUPREME COURT OF THE UNITED STATES.

No. 65.—OCTOBER TERM, 1945.

ASHBACKER RADIO CORPORATION, Petitioner,
vs.
FEDERAL COMMUNICATIONS COMMISSION.

On Writ of Certiorari to the United States Court of Appeals for the District of Columbia.

[December 3, 1945.]

Mr. Justice DOUGLAS delivered the opinion of the Court.

The primary question in this case is whether an applicant for a construction permit under the Federal Communications Act (48 Stat. 1064, 47 U. S. C. § 151) is granted the hearing to which he is entitled by § 309(a) of the Act,[1] where the Commission, having before it two applications which are mutually exclusive, grants one without a hearing and sets the other for hearing.

In March 1944 the Fetzer Broadcasting Company filed with the Commission an application for authority to construct a new broadcasting station at Grand Rapids, Michigan, to operate on 1230 kc with 250 watts power, unlimited time. In May 1944, before the Fetzer application had been acted upon, petitioner filed an application for authority to change the operating frequency of its station WKBZ of Muskegon, Michigan, from 1490 kc with 250 watts power, unlimited time, to 1230 kc. The Commission, after stating that the simultaneous operation on 1230 kc at Grand Rapids and Muskegon "would result in intolerable interference to both applicants" declared that the two applications were "actually exclusive." The Commission upon an examination of the Fetzer application and supporting data granted it in June 1944 without a hearing. On the same day the Commission designated petitioner's application for hearing. Petitioner thereupon filed a petition for hearing, rehearing and other relief directed against the grant of the Fetzer application. The Commission denied this petition, stating,

> "The Commission has not denied petitioner's application. It has designated the application for hearing as required by Section 309(a) of the Act. At this hearing, petitioner will have ample opportunity to show that its operation as proposed will better serve the public interest than will the grant of the Fetzer application as authorized June 27, 1944. Such grant does not preclude the Commission, at a later date from taking any action which it may find will serve the public interest. In re: *Berks Broadcasting Company* (WEEU), Reading Pennsylvania, 8 FCC 427 (1941); In re: *The Evening News Association* (WWJ), Detroit, Michigan, 8 FCC 552 (1941); In re: *Merced Broadcasting Company* (KYOS), Merced, California, 9 FCC 118, 120 (1942)."

Petitioner filed a notice of appeal from the grant of the Fetzer construction permit in the Court of Appeals for the District of Columbia, asserting that it was a "person aggrieved or whose interests are adversely affected" by the action of the Commission within the meaning of § 402 (b)(2) of the Act.[2] The Commission filed a motion to dismiss the appeal for want of jurisdiction on the part of the court to entertain it. This motion was granted without opinion. The case is here on a petition for a writ of certiorari which we granted because of the importance of the question presented.

Our chief problem is to reconcile two provisions of § 309(a) where the Commission has before it mutually exclusive applications. The first authorizes the Commission "upon examination" of an application for a station license to grant it if the Commission determines that "public interest, convenience, or necessity would be served" by the grant.[3] The second provision of §309(a) says that if, upon examination of such an application, the Commission does not reach such a decision, "it shall notify the applicant thereof, shall fix and give notice of a time and place for hearing thereon, and shall afford such applicant an opportunity to be heard under such rules and regulations as it may prescribe."[4] It is thus plain that § 309(a) not only gives the Commission authority to grant licenses without a hearing, but also gives applicants a right to a hearing before their applications are denied. We do not think it is enough to say that the power of the Commission to issue a license on a finding of public interest, convenience or necessity supports its grant of one of two mutually exclusive applications without a hearing of the other. For if the grant of one effectively precludes the other, the statutory right to a hearing which Congress has accorded applicants before denial of their applications becomes an empty thing. We think that is the case here.

The Commission in its notice of hearing on petitioner's application stated that the application "will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing." One of the issues listed was the determination of "the extent of any interference which would result from the simultantous operation" of petitioner's proposed station and Fetzer's station. Since the Commission itself stated that simultaneous operation of the two sations would result in "intolerable interference" to both, it is apparent that petitioner carries a burden which cannot be met. To place that burden on it is in effect to make its hearing a rehearing on the grant of the competitor's license rather than a hearing on the merits of its own application. That may satisfy the strict letter of the law but certainly not its spirit or intent.[5]

The Fetzer application was not conditionally granted pending consideration of petitioner's application. Indeed a stay of it pending the outcome of this litigation was denied. Of course the Fetzer license, like any other license granted by the Commission, was subject to certain conditions which the Act imposes as a matter of law. We fully recognize that the Commission, as it said, is not precluded "at a later date from taking any action which it may find will serve the public interest." No licensee obtains any vested interest in any frequency.[6] The Commission for specified reasons may revoke any station license pursuant to the procedure prescribed by § 312(a) and may

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[1] Sec. 319 relates to applications for construction permits. But since such applications are in substance applications for station licenses (Goss *v.* Federal Radio Commission, 67 F. 2d 507, 508) the Commission in such cases uniformly follows the procedure prescribed in § 309(a) for station licenses.

[2] The relevant provisions of § 402(b) read as follows:

> "An appeal may be taken, in the manner hereinafter provided, from decisions of the Commission to the United States Court of Appeals for the District of Columbia in any of the following cases:
>
> . . . .
>
> "(2) By any other person aggrieved or whose interests are adversely affected by any decision of the Commission granting or refusing any such application."

[3] Sec. 307(a) provides, "The Commission, if public convenience, interest or necessity will be served thereby, subject to the limitations of this chapter, shall grant to any applicant therefor a station license provided for by this chaper."

[4] Sec. 309(a) reads as follows:

> "If upon examination of any application for a station license or for the renewal or modification of a station license the Commission shall determine that public interest, convenience, or necessity would be served by the granting thereof, it shall authorize the issuance, renewal, or modification thereof in accordance with said finding. In the event the Commission upon examination of any such application does not reach such decision with respect thereto, it shall notify the applicant thereof, shall fix and give notice of a time and place for hearing thereon, and shall afford such applicant an opportunity to be heard under such rules and regulations as it may prescribe."

[5] The Commission recognizes in its regulations the desirability of hearing such related matters at the same time or in consolidated cases. By § 1.193, 47 Code Fed. Reg. Cum. Supp. it is provided:

> "In fixing dates for hearings the Commission will, so far as practicable, endeavor to fix the same date for separate hearings (a) on all related matters which involve the same applicant, or arise out of the same complaint or cause; and (b) for separate hearings on all applications which by reason of the privileges, terms, or conditions requested present conflicting claims of the same nature."

And by § 1.194, 47 Code Fed. Reg. Cum. Supp. it is provided:

> "The Commission, upon motion, or upon its own motion, will, where such action will best conduce to the proper dispatch of business and to the ends of justice, consolidate for hearing (a) any cases which involve the same applicant or arise from the same complaint or cause, or (b) any applications which by reason of the privileges, terms, or conditions requested present conflicting claims of the same nature."

[6] See § § 301, 304, 307(d), 309(b)(1) of the Act. "The policy of the Act is clear that no person is to have anything in the nature of a property right as a result of the granting of a license." Federal Communications Commission *v.* Sanders Bros. Radio Station, 309 U. S. 470, 475.

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suspend the license of any operator on the grounds and in the manner specified by § 303(m). It may also modify a station license if in its judgment "such action will promote the public interest, convenience, and necessity, or the provisions of this chapter * * * will be more fully complied with." § 312(b). And licenses for broadcasting stations are limited to three years, the renewals being subject to the same considerations and practice which affect the granting of original applications. § 307(d). But in all those instances the licensee is given an opportunity to be heard before final action can be taken.[7] What the Commission can do to Fetzer it can do to any licensee. As the Fetzer application has been granted, petitioner, therefore, is presently in the same position as a newcomer who seeks to displace an established broadcaster. By the grant of the Fetzer application petitioner has been placed under a greater burden than if its hearing had been earlier. Legal theory is one thing. But the practicalities are different. For we are told how difficult it is for a newcomer to make the comparative showing necessary to displace an established licensee. *Peoria Broadcasting Co., and Illinois Broadcasting Co.*, 1 F. C. C. 167. No suggestion is made here as in *Matheson Radio Co., Inc.*, 8 F. C. C. 427 or *The Evening News Association*, 8 F. C. C. 552, that it may be possible to make workable adjustments so that both applications can be granted. The Commission concedes that "these applications are actually exclusive." The applications are for a facility which can be granted to only one. Since the facility has been granted to Fetzer, the hearing accorded petitioner concerns a license facility no longer available for a grant unless the earlier grant is recalled. A hearing designed as one for an available frequency becomes by the Commission's action in substance one for the revocation or modification of an outstanding license. So it would seem that petitioner would carry as a matter of law the same burden regardless of the precise provisions of the notice of hearing.

It is suggested that the Commission by granting the Fetzer application first concluded that the public interest would be furthered by making Fetzer's service available at the earliest possible date. If so, that conclusion is only an inference from what the Commission did. There is no suggestion, let alone a finding, by the Commission that the demands of the public interest were so urgent as to preclude the delay which would be occasioned by a hearing.

The public, not some private interest, convenience, or necessity governs the issuance of licenses under the Act. But we are not concerned here with the merits.[8] This involves only a matter of procedure. Congress has granted applicants a right to a hearing on their applications for station licenses.[9] Whether that is wise policy or whether the procedure adopted by the Commission in this case is preferable is not for us to decide. We only hold that where two *bona fide* applications are mutually exclusive the grant of one without a hearing to both deprives the loser of the opportunity which Congress chose to give him.

In *Federal Communication Commission* v. *Sanders Bros. Radio Station*, 309 U. S. 470, 476-477, we held that a rival station which would suffer economic injury by the grant of a license to another station had standing to appeal under § 402(b)(2) of the Act. In *Federal Communications Commission* v. *National Broadcasting Co.*, 319 U. S. 239, we reached the same conclusion where an application had been granted which would create such interference on the channel given an existing licensee as in effect to modify the earlier license. Petitioner is at least as adversely affected by the action of the Commission in this case as were the protestants in those cases. While the statutory right of petitioner to a hearing on its application has in form been preserved, it has as a practical matter been substantially nullified by the grant of the Fetzer application.[10]

Reversed.

Mr. Justice Black and Mr. Justice Jackson took no part in the consideration or decision of this case.

SUPREME COURT OF THE UNITED STATES.

No. 65.—October Term, 1945.

Ashbacker Radio Corporation, Petitioner,
vs.
Federal Communications Commission.

On Writ of Certiorari to the Court of Appeals for the District of Columbia.

[December 3, 1945.]

Mr. Justice Frankfurter, dissenting.

The extent to which administrative agencies are to be entrusted with the enforcement of federal legislation is for Congress to determine. Insofar as the actions of these agencies come under the scrutiny of judicial review, it is the business of the courts to respect the distribution of authority that Congress makes as between administrative and judicial tribunals. Of course courts must hold the administrative agencies within the confines of their Congressional authority. But in doing so they should not even unwittingly assume that the familiar is the necessary and demand of the administrative process observance of conventional judicial procedures when Congress has made no such exaction. Since these agencies deal largely with the vindication of public interest and not the enforcement of private rights, this Court ought not to imply hampering restrictions, not imposed by Congress, upon the effectiveness of the administrative process. One reason for the expansion of administrative agencies has been the recognition that procedures appropriate for the adjudication of private rights in the courts may be inappropriate for the kind of determinations which administrative agencies are called upon to make.

The disposition of the present case seems to me to disregard these controlling considerations, if the Court now holds, as I understand it so to do, that whenever conflicting applications are made for a radio license the Communications Commission must hear all the applications together.

In the regulation of broadcasting, Congress moved outside the framework of protected property rights. See *Commission* v. *Sanders Radio Station*, 309 U. S. 470. Congress could have retained for itself the granting or denial of the use of the air for broadcasting purposes, and it could have granted individual licenses by individual enactments as in the past it gave river and harbor rights to individuals. Instead of making such a crude use of its Constitutional powers, Congress, by the Communications Act of 1934, 48 Stat. 1064, 47 U. S. C. § 151, formulated an elaborate licensing scheme and established the Federal Communications Commission as its agency for enforcement. Our task is to give effect to this legislation and to the authority which Congress has seen fit to repose in the Communications Commission.

To come to the immediate issue, what has the Commission done that is here challenged and what authority from Congress does it avouch for what it has done?

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[7] For the regulations of the Commission governing these procedures see 47 Code Fed. Reg. Cum. Supp. § 1.401 (revocation), § 1.359 and § 1.402 (modification), § 1.411 and § 1.412 (suspension), § 1.360 (renewal).

[8] See Federal Communications Commission *v.* Pottsville Broadcasting Co., 309 U. S. 134, 145-146.

[9] Apparently no regulation exists which, for orderly administration, requires an application for a frequency, previously applied for, to be filed within a certain date. Nor is there any suggestion that petitioner's application, which was filed shortly after Fetzer's, was not filed in good faith.

[10] A license to operate a station is required in addition to a permit to construct one. As respects an operating license § 319(b) provides:

> "Upon the completion of any station for the construction or continued construction of which a permit has been granted, and upon it being made to appear to the Commission that all the terms, conditions, and obligations set forth in the application and permit have been fully met, and that no cause or circumstance arising or first coming to the knowledge of the Commission since the granting of the permit would, in the judgment of the Commission, make the operation of such station against the public interest, the Commission shall issue a license to the lawful holder of said permit for the operation of said station. Said license shall conform generally to the terms of said permit."

For the regulations of the Commission governing such applications see 47 Code Fed. Reg. Cum. Supp. § 1.357. It was conceded on oral argument that in that proceeding petitioner would not be entitled to intervene to challenge the propriety of the grant of the construction permit to Fetzer without a hearing on petitioner's application.

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The Commission had before it at least two applications for the use of the same radio wave length in the Western Michigan area (Muskegon-Grand Rapids)—that of the petitioner and Fetzer's. The problem before the Commission was the procedure appropriate in acting upon these two applications. Congress has authorized the Commission to grant an application without resort to a public hearing, 47 U. S. C. §§ 309(a), 319(a), but a public hearing may be demanded when the Commission denies an application, 47 U. S. C. § 309(a). The Court in effect rules that in the case of multiple applications the Commission can decide only after a public hearing on all of them. This requirement is apparently derived from the assumption that in this case the Commission, having received two conflicting applications, shut off, out of hand and quite arbitrarily, petitioner's right to have its application considered, as of course the Commission is in duty bound to consider it, by granting Fetzer's. But that is not what happened. The Commission is charged with the ascertainment of the public interest. We must assume that an agency which Congress has trusted discharges its trust. On the record before us it must be accepted that the Commission before having taken action carefully tested, according to its established practice, the claims both of Fetzer and of petitioner by the touchstone of public interest. See Attorney General's Committee on Administrative Procedure, Monograph No. 3, The Federal Communications Commission (1940) 8 *et seq.* On the basis of such inquiry, it found that the Fetzer application was clearly in the public interest; it found that the Ashbacker application did not make a sufficient showing even to stay the Commission's hand in withholding the Fetzer grant long enough to enable Ashbacker to support its application more persuasively. On the contrary, it thought the public interest would be furthered by making Fetzer's service available at the earliest possible date. There is nothing in the Communications Act that restricts the Commission in translating its duty to further the public interest as it did in the particular situation before it. In granting Fetzer's application and setting the denial of the petitioner's down for a hearing after fully canvassing the situation, the Commission brought itself within the explicit provisions of the Communications Act and applied them with that flexibility of procedure which Congress has put into the Commission's own keeping. *Federal Communications Commission* v. *Pottsville Broadcasting Co.*, 309 U. S. 134, 138.

But it is suggested that the right to a hearing upon denial of an application is not satisfied by a hearing bound to be barren. In order to appreciate the function of a hearing under the statute in a situation like that before us, however, it is vital to remember that the two applications of petitioner's and Fetzer's are very different from an ordinary litigation between Fetzer and petitioner in a court of law. Each of them was before the Commission as the representative of the public interest, the ascertainment of which is the expert function of the Communications Commission. It bears repeating that the application of both presumably received careful scrutiny by the Commission before action was taken. Administrative practice indicates that where there are conflicting applications, the Commission has granted some without hearing where it thought the public interest best served by that procedure, while setting others for hearing where the public interest so demanded.[1] Fetzer made a clear showing to the agency designated for the purpose by Congress that the public interest would be served by the grant of its application. The same agency found no basis in public interest for Ashbacker's application. Certainly it is wholly consonant with the scheme of the legislation and the powers given to the Commission that, upon denial of the Ashbacker application after a finding that it would not and Fetzer would serve the public interest, the burden be cast on Ashbacker to show that it would serve the public interest better than would Fetzer. The Commission is authorized by statute to modify a construction permit or any license granted by it.[2] This gives considerable scope for adjusting the prior grant to Fetzer so as to give to the public the benefits of reconciling both the Fetzer and the Ashbacker applications, if the hearing should develop considerations not disclosed by the prior scrutiny of the Commission. Not only that, but the Commission, in its opinion on hearing the Ashbacker complaint, construed its own action in granting the Fetzer application to be conditional, so as to have room for any action which it may find will serve the public interest after the hearing on the Ashbacker application. Such a practice of conditional grant by the Commission ought not to be deemed outside the range of the procedural discretion allowed to it by Congress.[3]

In this case, however, the restrictions of the hearing granted to Ashbacker do make of it a mere formality, for the Commission put upon Ashbacker the burden of establishing that the grant of a license to it would not interfere with the simultaneous operations of the proposed Fetzer station. But since the Commission had apparently already concluded that the simultaneous operation of the two stations would result in "intolerable interference," its order for a hearing seems to foreclose the opportunity that should still be open to Ashbacker. It is entitled to show the superiority of its claim over that of Fetzer, even though the Commission, on the basis of its administrative inquiry, was entitled to grant Fetzer the license in the qualified way in which the statute authorized, and the Commission made, the grant. In my view, therefore, the proper disposition of the case is to return it to the Commission with direction that it modify its order so as to assure an appropriate hearing of the Ashbacker application. It may be wise policy to require that the Communications Commission should give a public hearing for all multiple applications before granting any. But to my reading of the Communications Act, Congress has not expressed this policy.

Mr. Justice RUTLEDGE joins in this opinion.

Television

FCC Sets TELE Application Hearings

Acting on the first applications for commercial television broadcast stations since announcing the Rules governing this type of service, the Federal Communications Commission on Nov. 30 designated for consolidated hearing the nine applications for construction permits for new metropolitan television broadcast stations in Washington, D. C., metropolitan area. The applicants are: Bamberger Broadcasting Service, Inc., Capital Broadcasting Co., Allen B. DuMont Lab., Inc., The Evening Star Broadcasting Co., Marcus Loew Booking Agency, National Broadcasting Co., Inc., Eleanor Patterson t/as The Times-Herald, Philco Radio & Television Corp., Scripps-Howard Radio, Inc.

These applications will be heard on the following issues: (1) To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station. (2) To obtain full information with respect to the nature and character of the proposed program service. (3) To determine the areas and populations

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[1]

Fiscal Year	Total No. of Applications Considered	Conflicting Applications		
		Number	No. Granted Without Hearing	No. Granted After Hearing
1941	159	49	14	2
1942	142	52	1	2
1943	23	5	0	1
1944	39	14	2	1
1945	114	69	5	8

[2] Sec. 312(b): "Any station license hereafter granted under the provisions of this Act or the construction permit required hereby and hereafter issued, may be modified by the Commission either for a limited time or for the duration of the term thereof, if in the judgment of the Commission such action will promote the public interest, convenience, and necessity, or the provisions of this Act or of any treaty ratified by the United States will be more fully complied with . . .." *Cf.* 47 Code Fed. Reg. § 1.402.

[3] *Cf.* Berks Broadcasting Company (WEEU), Reading, Pennsylvania, 8 F. C. C. 427; The Evening News Association (WWJ), Detroit, Michigan, 8 F. C. C. 552; Merced Broadcasting Company (KYOS), Merced, California, 9 F. C. C. 118, 120.

which may be expected to receive service from the proposed station. (4) To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

In its Report in Docket No. 6780, provision was made for four television channels to be allocated to the metropolitan district of Washington, D. C.—Channel Nos. 4, 5, 7 and 9—providing four commercial television stations for this area. The applications which were designated for consolidated hearing had been filed prior to the Commission's Report, and had been placed in the pending file.

At the same time, the Commission denied the petition filed by the National Broadcasting Co., Inc., for reinstatement of its construction permit.

REPORTERS ACCLAIM TELEVISED SPORTS

U.P. staff correspondent Jack Fox gives high praise to television last week. One of about 200 press representatives who sat before 11 receiving sets in an NBC studio to watch the Army-Navy game Dec. 1, televised for the first time from Philadelphia, Fox's statement apparently mirrored the reaction among the newspapermen.

"It was better than being in the grandstand—and much warmer," says Fox.

Associated Press radio editor Charles E. Butterfield remarked: "The pictures were satisfactory. It wasn't at all difficult to follow the play and to see the arrival of President Truman."

The *Times* stated that the television broadcast "gave New Yorkers a panorama of the Army-Navy game and close-up views of President Truman and his party that could hardly have been equaled in any other way."

"Television audiences," said a *Herald Tribune* reporter, "judging by the one at the RCA Building yesterday, are different from radio audiences. They became more excited, yelled and even pounded each other on the back."

A sports editor said that "watching the big show from Philly here in New York was a lot like looking at the same through high-power field glasses from a seat high in the press box."

In the U.P. account of proceedings, it was said that "The view was as good as you could have had from the 50-yard line. It was like watching a clear newsreel but without the jerky, loss of continuity."

Television audiences, concluded the *Herald-Tribune*, "are like ordinary spectators. The women tend to forget to remove their hats and to smoke excessively. Both men and women are likely, when arriving late, to ask some comfortable early bird if he would mind moving so they and their group can sit together."

The telecast was brought to New York by coaxial cable. Three stations carried the broadcast, WNBT, New York, WPTZ, Philadelphia and WRGB, Schenectady.

"When it was all over," marveled one N. Y. reporter, "the television audience filed easily onto Fifth Avenue. No jam, crowded highways—no pneumonia."

EMPLOYEE-EMPLOYER COMMITTEE MEETS

The Employee-Employer Relations Committee is meeting at NAB headquarters in Washington today (7).

PETRILLO LOOMS ON CANADA HORIZON

Discussing the possibility of FM development in Canada, *Canadian Broadcaster* (Nov. 24) makes the following observation on the Petrillo situation:

"The likelihood that the Canadian management of the American Federation of Musicians will follow the American lead and compel stations and sponsors of programs which are broadcast on FM and AM bands simultaneously to pay double to musicians may have a strong influence on the question of making simultaneous AM and FM broadcasts which is the pattern which seems to find favor in many quarters. To date the Canadian union has not declared itself on this point but the Canadian union is a branch of the American one and in the States the demand for this double payment has resulted in at least one network cancelling its duplicate boadcasting plans rather than submit to what they feel are the unreasonable demands of the musicians."

DAVIS SAYS NEWS ANALYSIS MORE VITAL THAN EVER

Elmer Davis believes there never was a time when dependable analysis of the news, whether on the air or in print, was more important than today.

Davis believes Washington is the best location for one who attempts to analyze and explain the complicated news of these times: Most of the decisions that determine the future of America in the coming years will be made here, and more decisions that affect the future of the world will be made here than anywhere else.

LABOR LEADER OPPOSES TRUMAN'S STAND

Pittsburgh—President Thomas J. Fitzpatrick of District 6, United Electrical, Radio and Machine Workers of America, CIO, telegraphed President Truman Thursday (6) that its members, "repudiate your anti-labor message to Congress and oppose your attempts to saddle labor with cooling-off periods or other strike-breaking devices."

Fitzpatrick, who said the District Council has 60,000 members in western Pennsylvania and West Virginia, asserted: "We stand solidly behind CIO President Murray's opposition to your message."

PROTECTION AGAINST LABOR LEADERS URGED

Immediate enactment of legislation "to protect honest labor and the American public against labor leader lawlessness" was urged Monday (3) by Rep. Jonkman, (Mich.) immediately after President Truman delivered his labor message to Congress.

BERMUDA CONFERENCE AGREEMENT

The United States and the governments of the British Commonwealth in Bermuda on Tuesday (4) signed an agreement cutting international communications rates, discontinuing monopolies in other countries and allowing the U. S. to maintain direct radio contact with the United Kingdom, Australia, New Zealand and India.

FBIS STOPS FOREIGN MONITORING

The Foreign Broadcast Intelligence Service of the FCC stopped monitoring foreign broadcast stations Wednesday (5).

Announcing this, the Commission said "The suspension of service was ordered after the House reduced the Commission's national defense funds to $465,000 Monday."

Monitoring stations are located in Guam, Hawaii, Portland, Ore. and Silver Hill, Md. There are 170 employees in Washington and 105 in the field.

Included in a House appropriations compromise was $465,000 for the Federal Communications Commission's war activities work including the Foreign Broadcast Intelligence Service. The House originally omitted a $930,000 appropriation for this work but the Senate restored that amount to the Bill. The House compromise action cut the amount in half.

(Continued on next page)

ETHRIDGE REPORT

Secretary of State Byrnes is slated to receive a first-hand report from Mark Ethridge, WHAS, Louisville and former NAB president, this week on political conditions in the Soviet-controlled Balkan countries of Bulgaria and Romania. Ethridge arrived in Washington Wednesday (5).

Byrnes sent Ethridge to the Balkans about six weeks ago to gather facts for a review of American policy of refusing to recognize the Romanian and Bulgarian governments.

In his preliminary dispatches to the State Department, Ethridge has indicated clearly that his full report will support the non-recognition policy—based on the contention that the governments of Bucharest and Sofia are not truly representative of the people.

Byrnes told a news conference that the State Department will issue a statement as soon as it receives Ethridge's final report.

WANTS BILL OF RIGHTS DAY

The President would be authorized to annually issue a proclamation designating Dec. 15 as Bill of Rights Day, under a resolution introduced by Senator Byrd.

NEW BERLIN RADIO

Berlin.—The American Military Government has announced plans to open a new radio station in Berlin designed especially to reach the German people. The station is expected to begin operations about Dec. 20 and will broadcast all its programs in German.

AP BOARD APPROVES BY-LAW CHANGE

The Board of Directors of the Associated Press adopted unanimously on Nov. 29 the amended by-laws recommended at a special membership meeting Nov. 28. (See NAB Reports, P. 566.)

The new by-laws, amended to conform with a Federal Court decree respecting admission of members and with the current operations of the corporation, are now in effect. They include a provision eliminating consideration of competitive factors in voting upon applicants for membership.

DEVELOPER OF ATOM BOMB FUSE TO REJOIN KPRO STAFF

Stanley C. Reynolds, KPRO chief engineer, who has been in navy uniform since 1941, will resume his civilian duties with that station February 1st, 1946. Reynolds is credited with the development of the VT fuse, which fires shells by radar and played a major part in the firing of the atomic bomb. Last July, Reynolds was assigned to aid the British fleet in the Pacific solve some of their VT fuse problems.

WJTN STAFF MEMBER MAY BE WAR CRIMES WITNESS

Jamestown, N. Y.—Richard Greene, WJTN announcer, may go to Germany as a witness in the International War Crimes Trials. He has been notified in a communication from the Royal Canadian Air Force that his presence probably will be required at the War Tribunal Sessions now being conducted at Nuernberg.

Greene, whose home is in Buffalo, enlisted in the Royal Canadian Air Force on Armistice Day, 1940 and went overseas about a year later, as a pilot officer on a Wellington plane. He was shot down in Africa and when the plane crashed into the Mediterranean he received burns and other injuries that necessitated four months in hospitals in Africa and Italy as a prisoner of the Italians.

Upon release from hospitalization, Greene was sent to a permanent camp in Italy. After that country capitulated he put on civilian clothing and attempted return to Allied Forces, but was recaptured in May, 1944, by the Fascists in Italy and sent to Stalag Luft 7 in Germany, near the Polish Border.

Greene was elected to supervision of the camp and had charge of all contact work with the German Officers, the Swiss Legation, the Red Cross, the Y.M.C.A. and the British Authorities. During his internment, he witnessed several incidents involving the shooting of Prisoners of War. The Nazi responsible for the killings was one of the officers involved in the murder of British and American flying officers at Sagan, Germany, in 1943.

The RCAF letter stated that Greene would be returned to rank, (equal to a Second Lieutenant) and given full pay allowances and transportation to and from Europe if he consents to testify.

COMMENT ON CBC PANEL BROADCASTS

Saturday Night, a Canadian weekly published in Toronto, recently carried the following comment on a proposal by CBC to replace commentators with "panels of authoritative speakers":

"We shall look forward with interest to the development of the new style of discussion of current affairs with which the CBC proposes to replace the 'commentators' who have been an important feature of its program during the war years. There are to be, we are informed, 'panels of authoritative speakers' who will 'discuss international developments from a variety of viewpoints.'

"We are all out for authoritative speakers and variety of viewpoints, but we are not quite so enthusiastic about panels. To draw a parallel from journalism, we should not be nearly so much interested in Dorothy Thompson and Walter Lippman if they jointly conducted a column in which they contradicted one another in alternate paragraphs, as we are when they run two columns in which each is free to develop his or her viewpoint without interruption. And we gravely suspect that the 'panels' referred to will turn out to be groups of people engaged in round-table discussions—a performance which can be entertaining and stimulating if they are allowed to quarrel as much as they like and if they can quarrel expertly in front of the mike, but which never seems to get anywhere if they are managed chiefly with a view to keeping the station or the network safe from the charge of leaning towards any one viewpoint.

"It may be that we are misinterpreting the term 'panels' and that all that it means is lists of authoritative speakers who can be called on to do 15-minute talks each by himself. In that case our objection is lessened but by no means entirely removed. There are a great many more 'authoritative speakers' in Canada than there are good radio commentators. In fact radio comment is a very special art, in which even in the United States a scant half-score of experts outrank all rivals as completely as the top ten Metropolitan Opera singers outrank all other opera artists. We should feel much happier if the CBC could acquire, say, three really successful and popular commentators strong enough to build up a following for themselves, and different enough to appeal to a wide range of opinions, and pay them to talk as many times a week as they felt they would have something fresh to say. It is one thing to go to the radio at 9 p. m. on Tuesday, Thursday and Saturday knowing that you will hear a familiar voice and follow the processes of a mind to which you are accustomed, and quite another thing to turn the switch and hear the announcer call on an 'authoritative speaker' of whom you have never heard but who happens to be on a 'panel.' However we shall know more when we have listened to some of the panel broadcasts."

Federal Communications Commission Docket

HEARING

Monday, December 10

Consolidated hearing to be held in Rome, New York. Time and place to be determined later.

NEW—Utica Observer-Dispatch, Inc., Utica, N. Y.—C. P., **1450 kc.**, 250 watts, unlimited.

NEW—Utica Broadcasting Company, Inc., Utica, N. Y.—C. P., **1450 kc.**, 250 watts, unlimited.

NEW—Midstate Radio Corporation, Utica, N. Y.—C. P., **1450 kc.**, 250 watts, unlimited.

NEW—Ronald B. Woodyard, Utica, N. Y.—C. P., **1450 kc.**, 250 watts, unlimited.

NEW—Copper City Broadcasting Corporation, Rome, N. Y.—C. P., **1450 kc.**, 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

Clyde W. Anderson and Joe T. Van Sandt d/b as Florence Broadcasting Co., Florence, Ala.—Granted construction permit for new station to operate on **1340 kc.**, 250 watts, unlimited time. (B3-P-4211).

Tri-Cities Broadcasting Co., Florence, Ala.—Granted construction permit for new station to operate on **1240 kc.**, 250 watts, unlimited time. (B3-P-4049).

Robert W. Rounsaville and Geo. M. Clark, d/b as Elizabethton Broadcasting Co., Elizabethton, Tenn.—Granted construction permit for a new station to operate on **1240 kc.** with 250 watts power, unlimited time, conditioned upon approval of transmitter site and towers by the CAA. (B4-P-3971).

KPAS—Pacific Coast Broadcasting Co., Pasadena, Cal.—Granted renewal of license for the period ending May 1, 1948.

KVGB—KVGB, Inc., Great Bend, Kans.—Granted renewal of license for the period ending August 1, 1947.

The Trustees of Columbia University in the City of N. Y., New York, N. Y.—Granted construction permit for a new station to operate on frequencies to be assigned by the Commission, with effective radiated power equivalent to 20 KW with an antenna height of 500 ft. above average terrain.

State University of Okla., Norman, Okla.—Granted construction permit for new station to operate on frequencies to be assigned by the Commission; conditions.

Board of Supervisors of the La. State Univ. and Agriculture and Mechanical College, Baton Rouge, La.—Granted construction permit for new station to operate on frequencies to be assigned by the Commission; conditions.

Inland Radio, Inc., Ontario, Ore.—Granted construction permit for a new station to operate on **1400 kc.**, 250 watts, unlimited time. (B5-P-4210).

George Bennitt and Russell Bennitt, d/b as Fayetteville Broadcasting Co., Fayetteville, Ark.—Granted construction permit for a new station to operate on **1450 kc.**, 250 watts, unlimited time. Condition. (B3-P-4218).

Charles M. Dale, Concord, N. H.—Granted construction permit for a new station to operate on **1450 kc.**, 250 watts, unlimited time. Condition. (B1-P-4229).

The Border Broadcasting Co., Dillon, S. C.—Granted construction permit for a new station to operate on **800 kc.**, 1 KW, daytime only. Conditions. (B3-P-4032).

Geo. Burne Smith and V. H. McLean, d/b as the Gateway Broadcasting Co., Maryville, Tenn.—Granted construction permit for new station to operate on **1400 kc.**, 250 watts, unlimited time, subject to installation of approved frequency and modulation monitors. (B3-P-3887).

HEARING DESIGNATED

Southeastern Mass. Broadcasting Corp., New Bedford, Mass., and Bay State Broadcasting Co., New Bedford, Mass.—Adopted orders designating for consolidated hearing the applications of Southeastern Mass. Broadcasting Corp. and the Bay State Broadcasting Co., both requesting identical facilities—a new station to operate on **1400 kc.** with power of 250 watts.

Camden Broadcasting Co., Camden, N. J., and Chambersburg Broadcasting Co., Chambersburg, Pa.—Designated for consolidated hearing applications for a new station both requesting frequency **800 kc.** with power of 1 KW. day. (B1-P-4173 and B2-P-4221).

The Covington News, Inc., Covington, Ga., and James S. Rivers, d/b as Southeastern Broadcasting System, East Point, Ga.—Adopted orders designating these applications for consolidated hearing, both applicants request frequency **1490 kc.**, 250 watts, unlimited time. (B3-P-3923; B3-P-4235)

Kenneth G. Zweifel, Freeport, Ill., and Vincent S. Barker and Gladys J. Barker, a partnership, d/b as Freeport Broadcasting Co., Freeport, Ill.—Designated these applications for consolidated hearing, both seeking frequency **1570 kc.**, with power of 1 KW., daytime. (B3-P-3923 and B4-P-3904)

James Valley Broadcast Co., Huron, So. Dak.—Designated for hearing application for new station to operate on **1400 kc.**, 250 watts, unlimited time. (B4-P-4228)

MISCELLANEOUS

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Granted request to change call letters to KXLA.

WACO—Frontier Broadcasting Co., Inc., Waco, Texas; Beauford H. Jester, et al, Waco, Texas; KDNT—Harwell V. Shepard, Denton Texas; Truett Kimzey, Greenville, Texas—Adopted order granting petition filed by applicants Frontier Broadcasting Co., Inc. (WACO), Harwell V. Shepard (KDNT) and Truett Kimzey for leave to amend application of Frontier Broadcasting Co., Inc., so as to request assignment of frequency **1460 kc.**, with 1 KW power, directional antenna night, instead of **1230 kc.** as heretofore specified; to remove from hearing docket; and to reconsider and grant all applications. The applications were granted as follows:

(1) Granted application of Frontier Broadcasting Co., Inc. (WACO), to use frequency **1460 kc.**, 1 KW. power, unlimited, directional antenna night; granted subject to the condition that the transmitter site specified shall be approved by the Civil Aeronautics Administration before construction is commenced, and subject further to the Commission's determination upon the pending application of Frontier Broadcasting Co., Inc., for renewal of license of Station WACO (Docket 6590); (2) Granted application of Beauford H. Jester, et al., for a new station at Waco, Texas, to operate on **1230 kc.**, 250 watts, unlimited time, subject to the condition that within 60 days the applicant shall file with the Commission an application for modification of permit specifying the transmitter site and antenna system of its proposed station, and subject further to the condition that the transmitter site so specified shall be approved by the Civil Aeronautics Administration before construction is commenced (Docket 6218); (3) Granted application of Harwell V. Shepard (KDNT) for construction permit to make changes in equipment and increase power from 100 watts to 250 watts, on its presently assigned frequency **1450 kc.** (Docket 6352); and (4) Granted application of Truett Kimzey for construction permit for a new station at Greenville, Texas, to operate on frequency **1400 kc.**, 250 watts, subject to the condition that the transmitter

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site specified by this applicant shall be approved by the Civil Aeronautics Administration before construction is commenced, and subject further to the condition that an approved frequency monitor will be installed as soon as available (Docket 6589).

WMLT—Geo. T. Morris, et al. (Assignor), George T. Morris, et al., d/b as Dublin Broadcasting Co. (Assignee), Dublin, Ga.—Adopted memorandum opinion granting application for consent to voluntary assignment of license of station WMLT from George T. Morris, Wilmer D. Lanier and J. Newton Thompson, d/b as Dublin Broadcasting Company to George T. Morris and J. Newton Thompson, d/b as Dublin Broadcasting Company, for a consideration of $13,100 to Wilmer D. Lanier for his 1/3 interest in the assignor partnership. (B3-AL-497)

There are now six licensed noncommercial educational broadcast stations and six outstanding construction permits in addition to the three announced today. There are 25 pending applications for this service on file at the present time.

Camden Radio, Inc., Camden, Ark.—Adopted memorandum opinion and order granting petition for reinstatement of application for construction permit, and ordered grant of the application for a new station to operate on **1450 kc.**, 250 watts, unlimited time, subject to the conditions (a) that the applicant will be required to install a modulation monitor, as soon as available, which will be in compliance with the Commission's standards of good engineering practice, and (b) that the proposed antenna site and construction be approved by the CAA. (B3-P-3494)

Mission Broadcasting Co., San Jose, Cal.—Adopted order designating this application for hearing in a consolidated proceeding with the applications of Golden Gate Broadcasting Corp. (KSAN); Calif. Broadcasting, Inc., Bakersfield Broadcasting Co., Monterey Bay Broadcast Co., Cascade Broadcasting Co., Inc. (KTYW), Amphlett Printing Co., Luther E. Gibson and San Jose Broadcasting Co.

C. A. Kaufmann and John F. Clarkson, d/b as Newberry Broadcasting Co., Newberry, S. C., and Robert Lex Easley, Laurens, S. C.—Adopted orders designating these applications for consolidated hearing, both applicants request the frequency **1240 kc.** with power of 250 watts, unlimited time. (B3-P-4227 and B3-P-3875)

Midwest Broadcasting Co., Mt. Vernon, Ill., and Mt. Vernon Radio & Television Co., Mt. Vernon, Ill.—Adopted orders designating these applications for consolidated hearing, both applicants request the frequency **940 kc.** (Midwest requests 500 watts power, daytime only, and Mt. Vernon requests 1,000 watts power, daytime only). (B4-P-3922; B4-P-4365)

Telegram Publishing Co., Salt Lake City, Utah, James B. Littlejohn, Ogden, Utah—Adopted orders designating these applications for consolidated hearing, both applicants request the frequency **1490 kc.**, 250 watts, unlimited time. (B5-P-4180; B5-P-4249)

Catalina Broadcasting Co., Tucson, Ariz.—Adopted order designating application for new station to use frequency **1340 kc.**, 250 watts, unlimited, for hearing in consolidated hearing with applications of Old Pueblo Broadcasting Co. and Sun Country Broadcasting Co., previously designated for hearing, requesting same facilities.

APPLICATIONS FILED AT FCC

560 Kilocycles

KFDM—Beaumont Broadcasting Corp., Beaumont, Texas—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and directional antenna for night use and change transmitter location from Beaumont, Texas, to 1.6 miles west and 2.2 miles south of Orangefield, Texas.

570 Kilocycles

KMTR—KMTR Radio Corp., Los Angeles, Calif.—Transfer of control of licensee corporation from Marilynne Dalton Alcorn, Reed E. Callister, Gloria Dalton, J. F. T. O'Conner, Edward J. O'Conner and William V. O'Conner to Dorothy S. Thackrey.

660 Kilocycles

NEW—Frederick A. Knorr, Harvey R. Hansen and William H. McCoy, d/b as Suburban Broadcasters (a co-partnership), Dearborn, Mich., (P. O. 14201 Tireman Ave.)—Construction permit for a new standard broadcast station to be operated on **660 kc.**, power of 1 KW and daytime hours of operation.

750 Kilocycles

NEW—Arthur H. Croghan, Santa Monica, Calif.—Construction permit for a new standard broadcast station to be operated on **750 kc.**, power of 1 KW and limited hours of operation. Amended to specify transmitter location as "to be determined, Los Angeles county, California."

800 Kilocycles

NEW—Paducah Newspapers, Inc., Paducah, Ken. (P. O. 408-412 Kentucky Ave.)—Construction permit for a new standard broadcast station to be operated on **800 kc.**, power of 1 KW and daytime hours of operation.

830 Kilocycles

NEW—David H. Cannon, Reed E. Callister and Carroll R. Hauser, d/b as Orange County Broadcasting Co., Santa Ana, Calif. (P. O. Room 524, 650 S. Spring St., Los Angeles, Calif.)—Construction permit for a new standard broadcast station to be operated on **830 kc.**, power of 5 KW and daytime hours of operation.

1130 Kilocycles

WDGY—Mae C. Young, executrix of the estate of George W. Young, deceased, Minneapolis, Minn.—Voluntary assignment of license to Twin Cities Broadcasting Corporation. (1130 kc.)

1220 Kilocycles

WADC—Allen T. Simmons, Tallmadge, Ohio—Construction permit to change frequency from **1350** to **1220 kc.**, increase power from 5 KW to 50 KW, install new transmitter and new directional antenna for day and night use and change transmitter location from north of Akron, Ohio, to Granger, Ohio. (Facilities of WGAR requested.)

1230 Kilocycles

NEW—Air-Time, Inc., Joplin, Mo. (P. O. 507 N. Wall Ave.)—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts and unlimited hours of operation.

1240 Kilocycles

NEW—Woodrow Miller, San Bernardino, Calif.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation. Amended to change frequency from **1240** to **1450 kc.** and omit request for facilities to be relinquished by KFXM. (Contingent on grant of KPRO's application to change frequency.)

NEW—Don C. Foote, John W. Foote, Robert E. Mulvaney, Willard Mulvaney, Horace S. Davis and Rockwood Brown, co-partners d/b as Billings Broadcasting Co., Billings, Mont. (P. O. 223 W. Montana Ave.)—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

KROY—Royal Miller, Marion Miller, L. H. Penney, Gladys W. Penney d/b as Royal Miller Radio, Sacramento, Calif.—Voluntary assignment of license to Harmco, Inc.

1340 Kilocycles

NEW—General Newspapers, Inc., Wilmington, N. C. (P. O. 450 Cherry St., P. O. Box 1016, Macon, Ga.)—Con-

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struction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

WMSA—The Brockway Co., South of Massena, N. Y.—License to cover construction permit (B1-P-3734) which authorized a new standard broadcast station.

WMSA—The Brockway Co., South of Massena, N. Y.—Authority to determine operating power by direct measurement of antenna power.

1350 Kilocycles

KGHF—Curtis P. Ritchie, Pueblo, Colo.—Voluntary assignment of license to Colorado Broadcasting Company, Inc.

1380 Kilocycles

WATL—J. W. Woodruff tr/as Atlanta Broadcasting Co., Atlanta, Ga.—Construction permit to change frequency from **1400** to **1380 kc.**, increase power from 250 watts to 5 KW, install new transmitter and directional antenna for night use and change transmitter location from 26 Cain Street to Nash Road, Atlanta, Ga. Amended re changes in directional antenna.

1410 Kilocycles

NEW—Oil Center Broadcasting Co., Odessa, Texas (P. O. 824 W. First St.)—Construction permit for a new standard broadcast station to be operated on **1410 kc.**, power of 1 KW, directional antenna and unlimited hours of operation.

1450 Kilocycles

WMAJ—Centre Broadcasters, Inc., State College, Pa.—License to cover construction permit (B2-P-3730 as modified) for a new standard broadcast station.

WMAJ—Centre Broadcasters, Inc., State College, Pa.—Authority to determine operating power by direct measurement of antenna power.

NEW—Charleston Broadcasting Co., Charleston, S. C. (P. O. 5 Exchange St.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Carter C. Peterson, Savannah, Ga. (P. O. Ailey, Ga.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

1490 Kilocycles

NEW—James B. Littlejohn, Ogden, Utah (P. O. 2895 S. 27th East St., Salt Lake City, Utah)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Concord Broadcasting Corporation, Concord, N. H. (P. O. 3 Capitol St.)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

KVAL—Radio Station KEEW, Ltd., Brownsville, Texas—Construction permit for changes in transmitting equipment.

FM APPLICATIONS

NEW—Radio Station WBIR, Inc., Knoxville, Tenn.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **45.1 mc.** and coverage of 3,230 square miles. Amended to change name of applicant from American Broadcasting Corp. to Radio Station WBIR, Inc., and change antenna system.

NEW—Balaban & Katz Corporation, Chicago, Ill. (P. O. 190 N. State St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be determined by FCC and coverage of 10,700 square miles.

NEW—Amalgamated Broadcasting System, Inc., Philadelphia, Pa. (P. O. 11-15 Union Square, New York 3, N. Y.)—Construction permit for a new FM (Metropolitan broadcast station to be operated on frequency and coverage as determined by the FCC.

NEW—WMAS, Inc., Springfield, Mass.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency as assigned by FCC. Amended to change frequency from "to be assigned by FCC" to channel #42, **96.3 mc.**, specify coverage "to be determined," transmitter location as Mount Tom, Holyoke, Mass., change type of transmitter and specify antenna system.

NEW—Kingston Broadcasting Corp., Kingston, N. Y. (P. O. 601 Broadway Ave.)—Construction permit for a new FM (Community) broadcast station to be operated on frequency and coverage to be assigned by FCC.

NEW—Central New York Broadcasting Corp., Syracuse, N. Y.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **46.3 mc.** and coverage of 6,800 square miles. Amended to change antenna system.

WGHF—William G. H. Finch, New York, N. Y.—Modification of construction permit (B1-PH-42, as modified and which authorized new FM broadcast station) for change in frequency from **45.5 mc.** to channel #59, **99.7 mc.**, type of transmitter and install new antenna system.

NEW—WHEB, Inc., Portsmouth, N. H. (P. O. Lafayette Rd.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC in **100 mc.** band and coverage of 4,433 square miles.

NEW—Hearst Radio, Inc., Baltimore, Md.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **43.7 mc.** and coverage of 8,857.6 square miles. Amended: to change frequency from **43.7 mc.** to Channel #45, **96.9 mc.**, make changes in type of transmitter and antenna system and change transmitter site from Baltimore, Md., to Randallstown, Md.

NEW—WJHL, Inc., Johnson City, Tenn.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on a frequency located within the channel selected by the FCC and coverage of 8,000 square miles. Amended: to change antenna system.

NEW—Paul F. McRoy, John H. Searing, Ann E. Searing, d/b as Southern Illinois Broadcasting Partnership, Carbondale, Ill.—Construction permit for a new FM broadcast station to be operated on frequency to be determined by FCC and coverage of 6,506 square miles. Amended: to change name from Paul F. McRoy, John H. Searing, Ann E. Searing, a partnership, d/b as Southern Illinois Broadcasting Co. to Paul F. McRoy, John H. Searing, Ann E. Searing, d/b as Southern Illinois Broadcasting Partnership.

NEW—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif. (P. O. 645 S. Mariposa Ave.)—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be assigned by FCC and coverage of 10,760 square miles.

NEW—The Tuscora Broadcasting Co., Dover, Ohio (P. O. 450-62 Reporter Court)—Construction permit for a new FM broadcast station to be operated on **92-108 mc.** and coverage of 5,035 square miles.

NEW—The Fort Industry Co., Miami, Fla. (P. O. 1605 Biscayne Blvd.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be assigned.

NEW—United Broadcasting Co., Cleveland, Ohio—Construction permit for a new FM broadcast station to be operated on **48.5 mc.** and coverage of 8,420 square miles. Amended: to change transmitter site from Cleveland, Ohio to Village of Seven Hills, Ohio, change type of transmitter and make changes in antenna system.

NEW—Lloyd A. Pixley, Martha P. Pixley, Milton A. Pixley and Grace M. Pixley, partners d/b as The Pixleys, Columbus, Ohio—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **48.5 mc.** and coverage of 12,500 square miles. Amended: to change frequency from **48.5 mc.** to "To be selected by FCC," coverage from 12,500 square miles to 11,690 square miles, change transmitter and studio location, population from 1,022,711 to 995,616, make

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changes in antenna system and change type of transmitter.

NEW—Catawba Valley Broadcasting Co., Inc., Hickory, N. C. (P. O. Radio Bldg., 13th St.)—Construction permit for a new FM (Rural) broadcasting station to be operated on frequency to be assigned by FCC and coverage to be determined.

NEW—Atlantic Broadcasting Co., Savannah, Ga. (P. O. 17 Drayton St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #30, **93.9 mc.** or as assigned and coverage of 7,900 square miles.

NEW—Radio Springfield, Inc., Springfield, Ill.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **46.9 mc.** or other available frequency and coverage of 8,050 square miles. Amended: to change name of applicant from Commodore Broadcasting, Inc., to Radio Springfield, Inc.

NEW—The Wm. H. Block Co., Indianapolis, Ind.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **43.7 mc.** and coverage of 9,316 square miles. Amended: re change in type of transmitter.

NEW—Central California Broadcasters, Inc., Berkeley, Calif. (P. O. 601 Ashby Ave.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be determined by chief engineer of FCC and coverage to be assigned.

NEW—Echo Park Evangelistic Assn., Los Angeles, Calif. (P. O. 1100 Glendale Blvd.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be specified by FCC chief engineer and coverage of 7,150 square miles.

NEW—Radio Broadcasters, Inc., Los Angeles, Calif. (P. O. 519 Title Insurance Bldg., 433 S. Spring St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage to be calculated.

TELEVISION APPLICATIONS

NEW—Bamberger Broadcasting Service, Inc., New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #6, **96-102 mc.** with ESR of 1246. Amended: to change frequency from Channel #6, **96-102 mc.** to channel #7, **174-180 mc.**, or to be assigned by FCC, ESR from 1246 to 3146, change type of transmitter and make changes in antenna system.

NEW—Bamberger Broadcasting Service, Inc., Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #4, **78-84 mc.** with ESR to be determined. Amended: to change frequency from Channel #4, **78-84 mc.** to Channel #5, **76-82 mc.**, ESR from to be determined to 1496, specify transmitter location, change type of transmitter and specify antenna system.

W9XMT—P. R. Mallory & Co., Inc., Indianapolis, Ind.—Modification of construction permit (B4-PVB-111, as modified) which authorized a new experimental television broadcast station for extension of completion date only from 12-15-45 to 3-15-46.

NEW—Walt Disney Productions, Los Angeles, Calif. (P. O. 2400 West Alameda Ave., Burbank, Calif.)—Construction permit for a new commercial television broadcast station to be operated on Channel #5, **76-82 mc.** and ESR of 12,000.

NEW—American Broadcasting Co., Inc., San Francisco, Calif. (P. O. 30 Rockefeller Plaza, New York, N. Y.)—Construction permit for a new commercial television broadcast station to be operated on Channel #7, **102-108 mc.** and ESR of 3950.

NEW—National Broadcasting Co., Inc., Cleveland, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #4, **66-72 mc.**, and ESR of 8120. Amended: to change ESR from 8120 to not specified, change type of transmitter and make changes in antenna system.

NEW—Philadelphia Daily News, Inc., Philadelphia, Pa.—Construction permit for a new commercial television broadcast station to be operated on Channel #9, **180-186 mc.** with ESR of 770.7. Amended: to change frequency from old Channel #9 to new Channel #8, ESR from 770.7 to 865 and make changes in antenna system.

W10XAF—Philco Radio & Television Corp., Philadelphia, Pa.—License to cover construction permit (B1-PVB-154) which authorized a new experimental television relay broadcast station.

W10XAE—Philco Radio & Television Corp., Philadelphia, Pa.—License to cover construction permit (B1-PVB-153) which authorized a new experimental television relay broadcast station.

W10XAD—Philco Radio & Television Corp., Philadelphia, Pa.—License to cover construction permit (B1-PVB-152) which authorized a new experimental television relay broadcast station.

WTAG-FM—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Voluntary Assignment of license to W.T.A.G., Inc.

WBEE—Worcester Telegram Publishing Co., Inc., Portable-Mobile, area of Worcester, Mass.—Voluntary assignment of license to W.T.A.G., Inc.

NEW—Television Productions, Inc., Hollywood, Calif. (P. O. 5451 Marathon St.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4, **66-72 mc.**, with ESR of 19,120.

NEW—Courier-Journal & Louisville Times Co., Louisville, Ky. (P. O. 300 West Liberty St.)—Construction permit for a new commercial television broadcast station to be operated on Channel #9, **186-192 mc.** with ESR of 1425.

W2XJT—William B. Still tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—License to cover construction permit (B1-PVB-100, as modified) which authorized a new experimental television broadcast station. Amended: re emission and power.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Burgess Seed and Plant Co., Galesburg, Mich., engaged in packaging and selling seeds, among them being a species of soy or soya beans which it has designated as "domestic coffee berry," is charged in a complaint with misrepresentation. (5406)

Custom House Packing Corp.—A complaint alleging violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of seafood products has been issued against Custom House Packing Corp., Monterey, Calif.; Wilbur-Ellis Co., 430 California St., San Francisco, and the officers of each corporation. Custom House Packing Corp., a packer of seafood, is controlled by and sells its products exclusively through Wilbur-Ellis Co., which operates a food brokerage business. (5404)

Lo-Well Pencil Co., 56 West 24th St., New York, selling and distributing pencils and other articles of merchandise, is charged in the complaint with misrepresentation and misuse of the word "free." (5407)

Fred Schambach, 110 West 42nd Street, New York, selling and distributing musical vanity chests, fountain pens and other articles of merchandise, is charged in complaint with misrepresentation and with selling and distributing of his merchandise by means of games of chance, gift enterprise or lottery schemes. (5405)

(Continued on next page)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Crown Wristband Co., Inc., Julius Cedar, Ephram Cedar and Morris Bober, executives of the corporation, 116 Nassau St., New York, selling and distributing, among other things, ladies' bracelets trade-marked "Lady Jane," have stipulated that they will cease and desist from the use in their advertising of the words "1/20—12K gold content" or similar terms as descriptive of bracelets or other articles not made throughout of gold alloy of the fineness indicated. (4124)

Interstate Shade Cloth Co.—et al—Four manufacturers and distributors of window shades in New York City, Baltimore, and Hoboken, N. J., have entered into stipulations in which they agree to cease use of misleading labels, brands or tags on their products.

The respondents are: Interstate Shade Cloth Co., 812 Jefferson St., Hoboken, N. J. (4117); Lapsley-Interstate Shade Cloth Co., 110 South Paca St., Baltimore (4118); The Weiss & Klau Co., 462 Broadway, New York City (4119); and The Arnel Co., Inc., 419 Fourth Ave., New York City (4120).

Montgomery Ward & Co., Chicago, engaged in the sale, among other things, of jewelry, including novelty items, rings and ear rings under the brand name "Spratling Silver," has stipulated to cease and desist from representing that Spratling products are 980/1000 pure silver, or in any manner representing that the silver content of the products is in excess of their actual silver content; or that the products have less tendency to oxidize or to stain or discolor the wearer's skin than sterling silver or that sterling silver necessarily tarnishes faster than Spratling products. (4123)

Warner-Medlin Studios, Union Bank Building, Davenport, Iowa, making and selling photographic portraits, has stipulated that in connection with the sale or distribution of their products they will cease representing that the photographs produced and sold by them are "Vignette Etchings" or etchings of any kind, or that any certificate, coupon or other token delivered to purchasers of their photographs will entitle such a purchaser to a special discount off the regular price on additional orders, unless and until such discount is actually given on re-orders for any and all sizes of pictures not explicitly excepted thereby. (4121)

Murray R. White, trading as North American News-Photo Service, 475 Fifth Avenue, New York, selling and distributing so-called "goldstone miniatures," has stipulated to cease and desist from certain misrepresentations in connection with the sale of his products. (4122)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Koret, Inc., 33 East 33rd St., New York, manufacturing and distributing ladies' handbags made in whole or in part of calfskin leather, has been ordered to cease and desist from certain misrepresentations of its products. (4848)

Benjamin H. Levine, trading as Harvest House, 50 West 17th St., New York, selling and distributing a book entitled "The Complete Guide to Bust Culture," has been ordered to cease and desist from disseminating any advertisement or advertising material which represents that by following the directions in the book any significant change in the size, shape or physical conformation of women's breasts can be effected; that flat, sagging, or undeveloped breasts can be developed; a pendulous bust can be rounded into high, shapely, or youthful loveliness; or that an unattractive bustline can be converted into well rounded, alluring contours. The order does not prohibit the respondent from representing that in those cases where the lack of attractiveness of the bustline is due to improper posture or the failure to wear a properly selected and fitted brassiere, the appearance of the bustline may be improved by following the directions in the book as to posture and the use of brassieres. (5028)

National Electric Manufacturers Co., 60 East 42nd St., New York, selling and distributing flexible shafting for the remote control of valves in ships and naval vessels, has been ordered to cease and desist from representing, directly or by implication, that the use of flexible shafting in the remote control of valves in ships and naval vessels was originated, designed, or developed by the respondent or by persons employed by him. It also is ordered to discontinue the use of drawings or reproductions of drawings of flexible shafting or any of its component parts in circulars, pamphlets or other advertising material in such a manner as to indicate or imply that the drawings were made by the respondent or by persons in his employ, when, in fact, such drawings have been traced, copied, or reproduced from drawings made by either competitors or by persons not connected with the respondent. (5192)

R. L. Swain Tobacco Co., Inc., Danville, Va., manufacturing, processing and selling tobacco products, has been ordered to cease and desist from certain misrepresentations concerning its Pinehurst cigarettes. (4981)

Rejuvene Manufacturing Co., 2511 Prince St., Berkeley, Calif., compounding and selling a cosmetic preparation designated "Rejuvene," has been ordered to cease and desist from representing that their product will remove lines, wrinkles, moles or blackheads from the skin, tighten the skin, restore a youthful appearance to the skin, or affect the facial contour. (5355)

FTC COMPLAINT DISMISSED

The Federal Trade Commission has dismissed the amended and supplemental complaint issued by it against Erwin Lechler, trading as Lechler Laboratories, 560 Broadway, New York. The amended and supplemental complaint charged that advertisements disseminated by the respondent concerning a hair dye designated "569 Moorish Strate-Black" were false in that they failed to reveal the harmful potentialities of the preparation. It also alleged that the preparation will not straighten curly or kinky hair and that the respondent's preparation "Curl-A-New" does not possess properties capable of curling straight hair or of preserving natural curliness.

The Commission, having considered the complaint, is of the opinion that the evidence presented does not afford a clear, adequate, or sound basis for reaching a determination of the facts necessary to dispose of the principal issues in the proceeding upon the merits. It ordered that the amended and supplemental complaint be dismissed without prejudice to the right of the Commission to institute further proceedings should the facts warrant such action.

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 50, December 14, 1945

FM Department

FCC RELEASES SURVEY ON PROBABLE FM COSTS

The FCC today released its survey on the probable prices and delivery dates of equipment for FM stations. The survey follows:

The study was made at the request of Senator Glen H. Taylor of the Senate Small Business Committee which is headed by Senator James E. Murray.

The figures reveal that the principal items—transmitter, antenna and control console—for operation in the new 88-108 megacycle FM band will cost substantially less even under post-war conditions than the estimates made for such equipment in the old 42-50 mc band in 1944.

The probable prices of six major items of broadcast equipment for a 250 watt station range from a minimum of $6,420 to a maximum of $14,500; for a 1 kw station, from $10,020 to $20,010; for a 3 kw station, from $12,420 to $24,427; for a 10 kw station, from $22,020 to $34,566; and for a 50 kw station, from $73,520 to $85,110. The six items included in these prices are transmitters (including royalties), antenna (but not supporting structures), control consoles, remote pick-up (wire line), turntables, and monitors.

With respect to the delivery dates of the above equipment, it appears that the transmitter delivery date will be the limiting factor, since antenna and consoles are either available now or will be available by January 1946. For orders placed in November 1945, a transmitter for a 250 watt station can be obtained by June 1946, for a 1 kw station by April 1946, and for a 3 kw station by May 1946, for a 10 kw station by July 1946, and for a 50 kw station by January 1947, according to the survey.

However, first deliveries on orders placed prior to November can be made as follows: 250 watt station, January 1946; 1 kw station, February 1946; 3 kw station, May 1946; 10 kw station, June 1946; 50 kw station in August 1946.

(The results of the survey are shown in the following tables.)

Table I—Estimated cost of major broadcast property items for 250W FM station, November 1945

Equipment	Low Estimate	Median Estimate	High Estimate
Transmitters (Including Patent Royalty)	$3,800	$4,500	$5,940
Antennae[1] (Excluding Supporting Structure)	950	1,700	3,250
Control Consoles	830	1,800	3,000
Remote Pick-up (Wire Line)	75	208	800
Turntables	165	450	650
Monitors	600	850	860
TOTAL	$6,420	$9,508	$14,500

[1] Estimates for 2-bay antennae only.

Estimates for one-bay antennae:

Low	$500
Median	1,500
High	2,000

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

Compiled by the Accounting, Statistical and Tariff Department, Economics Division.

Table II—Estimated cost of major broadcast property items for 1000W FM station, November 1945

Equipment	Low Estimate	Median Estimate	High Estimate
Transmitters (Including Patent Royalty)	$6,500	$9,200	$10,500
Antennae[1] (Excluding Supporting Structure)	1,850	2,250	4,200
Control Consoles	830	1,800	3,000
Remote Pick-up (Wire Line)	75	208	800
Turntables	165	450	650
Monitors	600	850	860
TOTAL	$10,020	$14,758	$20,010

[1] Estimate for 4-bay antennae only.

Estimate for:

	2-bay	6-bay
Low	$950	$3,500
Median	1,700	3,700
High	3,250	4,200

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

(Continued on next page)

NAB Reports
THE NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Special Counsel;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Promotion.*

Table III—Estimated cost of major broadcast property items for 3000W FM station, November 1945

Equipment	Low Estimate	Median Estimate	High Estimate
Transmitters (Including Patent Royalty)	$8,900	$12,300	$14,917
Antennae[1] (Excluding Supporting Structure)	1,850	2,250	4,200
Control Consoles	830	1,800	3,000
Remote Pick-up (Wire Lines)	75	208	800
Turntables	165	450	650
Monitors	600	850	860
TOTAL	$12,420	$17,858	$24,427

[1] Estimate for 4-bay antennae only.

Estimate for:	2-bay	6-bay
Low	$950	$3,500
Median	1,700	3,750
High	3,250	4,200

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

Table IV—Estimated cost of major broadcast property items for 10,000W FM station, November 1945

Equipment	Low Estimate	Median Estimate	High Estimate
Transmitters (Including Patent Royalty)	$18,500	$21,750	$25,056
Antennae[1] (Excluding Supporting Structure)	1,850	2,250	4,200
Control Consoles	830	1,800	3,000
Remote Pick-up (Wire Lines)	75	208	800
Turntables	165	450	650
Monitors	600	850	860
TOTAL	$22,020	$27,308	$34,566

[1] Estimate for 4-bay antennae only.

Estimate for:	2-bay	6-bay
Low	$950	$3,500
Median	1,700	3,750
High	3,250	4,200

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

Table V—Estimated cost of major broadcast property items for 50,000W FM station, November 1945

Equipment	Low Estimate	Median Estimate	High Estimate
Transmitters (Including Patent Royalty)	$70,000	$75,000	$75,600
Antennae[1] (Excluding Supporting Structure)	1,850	2,250	4,200
Control Consoles	830	1,800	3,000
Remote Pick-up (Wire Line)	75	208	800
Turntables	165	450	650
Monitors	600	850	860
TOTAL	$73,520	$80,558	$85,110

[1] Estimate for 4-bay antennae only.

Estimate for:	2-bay	6-bay
Low	$950	$3,500
Median	1,700	3,750
High	3,250	4,200

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

Table VI—Estimated cost of major broadcast property (i.e., transmitter; antenna, excluding supporting structures and control console) for FM stations by power

	FCC Survey, November 1945		General Electric—1944	
Power	Low estimate for selected items	Median estimate for selected items	Average estimate for selected items	Average estimate for all items
250W	$5,580	$8,000	$......	$......
1KW	8,280	12,700	20,000	42,000
3KW	11,580	16,350	26,250	33,250
10KW	21,180	25,800	30,000	74,285
50KW	72,680	79,050	102,000	136,530

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers. Estimates of General Electric in *How to Plan an FM Station,* 1944.

Table VII—First Delivery Dates of FM Transmitters

	Number of manufacturers				
First delivery date	250W	1KW	3KW	10KW	50KW
January 1946	1	2			
February	1	2			
March	1	1	3		
April		2	1		
May			2		
June	2	1	1	3	
July				1	
August					1
September				1	
November				1	
Early 1947	1		1		1
June 1947					1

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

(Continued on next page)

Table VIII—Estimated Delivery Dates of Orders for FM Transmitters Placed During November 1945

	Number of Manufacturers				
Estimated delivery date	250W	1KW	3KW	10KW	50KW
April 1946		1			
May			1		
June	2	2	2		
July				1	
August		1			
September	1	1	1		
October				1	
November				1	
Early 1947	1		1	1	2
Middle 1947					1

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

CANADIANS STUDY FM

Marking the first time that A. Davidson Dunton has presided in his new capacity as chairman, the Canadian Broadcasting Corp. Board of Governors met recently at Ottowa with FM development as the chief topic on the agenda.

Recommendations from the Canadian Association of Broadcasters were considered, among them being a proposal that the same 100 channels (88-102 mc.) used in the U. S. be selected for Canadian FM broadcasters with 20 of these to be reserved for educational broadcasting. This move is seen as a highly practical one inasmuch as it would simplify set designing and manufacturing since most of the Canadian sets come from U. S. set makers.

Under this proposal Canadian stations near the international boundary would be staggered to eliminate interference with nearby stations across the line in the U. S.

Employee-Employer Relations Department

A committee of broadcasters met at the National Association of Broadcasters' headquarters last Friday to develop a plan for the setting up of an Employee-Employer Relations Department in the immediate future.

This forward-looking move, designed to provide a smooth relationship between radio employees and station and network management, is being taken at the behest of the Board of Directors of the Association which directed its new president, Justin Miller, to take the necessary steps in securing qualified personnel and in establishing policies and procedures for the operation of the new Department.

Selection of personnel will begin at once.

In attendance at the meeting were the following radio station and network executives of the Advisory Committee selected by Mr. Miller:

John H. MacDonald, NBC, vice-president in charge of finance; Harry LePoidevin, WRJN, Racine; Howard Lane, Field Enterprise, Chicago; Calvin Smith, president, KFAC, Los Angeles; William Fay, vice-president, WHAM, Rochester; Frank King, president, WMBR, Jacksonville; F. W. Borton, president, WQAM, Miami; J. O. Maland, president, WHO, Des Moines; John Elmer (Chairman), president, WCBM, Baltimore; Frank White, vice president, CBS; Clair McCollough, general manager, WGAL, Lancaster.

Music

A group of radio station and network executives, representing all elements of American broadcasting, met in Washington Dec. 6 at the request of Justin Miller, newly elected president of the National Association of Broadcasters, for consideration of the future role of music and American musicians in the post-war expansion of radio when several thousand FM stations will be added to the present broadcasting spectrum.

Declaring that music and musicians will continue to play a vital role in future broadcasting, Mr. Miller said that these new stations, many of which will bring new faces and operations into the broadcasting field, will provide new and additional program services greatly expanding opportunities for both music and musicians.

Pointing out what American radio has done in the elevation of America's musical tastes, Mr. Miller stated that one direct outgrowth of the broadcasting of music over the last quarter century, has been the phenomenal increase in the number of students in music and voice schools in every part of the nation. This is further reflected, he said, in the increased demand reported by retailers for musical instruments of every type, including pianos.

In viewing the relations between the broadcasters and the musicians, the new leader of the NAB declared he was confident that harmony can prevail "in all our relations if we adhere to a policy that is fair and equitable to the listening public, the musician and the broadcaster."

A list of Committee members in attendance follows:

Frank White, vice president, CBS; Frank Russell, vice president, NBC; Keith Kiggins, president, American Broadcasting Co.; Robert Swezey, MBS; E. E. Hill, WTAG, Worcester, Mass.; Theodore C. Streibert, president, WOR, New York City; Paul Morency, general manager, WTIC, Hartford, Conn.; T. A. M. Craven, vice president, Cowles Broadcasting Co.; Harold Ryan, vice president, Fort Industries, Toledo, Ohio; Clair McCullough, general manager, WGAL, Lancaster, Pa.; Marshall Pengra, general manager, KRNR, Roseburg, Ore.; Wayne Coy, WINX, Washington, D. C.; John Elmer, president, WCBM, Baltimore, Md.; Walter Damm, vice president, WTMJ, Milwaukee, Wis.

Bureau of Broadcast Advertising

In line with an expansion aimed at the increase of service to member stations, the National Association of Broadcasters today announced the appointment of Hugh M. Higgins, former sales and program promotion manager for NBC, Washington, D. C., as Assistant Director of Broadcast Advertising.

Mr. Higgins, who left the Army Air Forces this month with the rank of major, after four years as a public relations officer in the United States and China-Burma-India theater, will be in charge of sales promotion for the Broadcast Advertising Department. He will also be charged with the compilation, editing and distribution of radio success stories and all collateral sales promotional material conducive to the increase of radio advertising. His appointment is the second to be announced this month, and closely follows that of J. Allen Brown, Assistant Di-

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rector of Broadcasting Advertising in charge of Small Market Stations.

A veteran public relations and publicity man, Higgins has spent the past 15 years in media work as newspaperman, public relations director, radio announcer-writer and sales promotion executive. After graduation from college he became field sales representative for a national hosiery company, following which he was employed as a sales solicitation specialist for the Chicago, Rock Island and Pacific Railway Company.

He entered radio as a sports announcer, newscaster and script writer with the Central States Broadcasting Company, Omaha, Neb., where he became engaged in the promotion of sales and programs. In 1941 he was named sales and program promotion manager for NBC and the Blue Network in Washington, D. C., leaving that post in 1942 to enter the armed forces.

Prior to his entrance into radio, Higgins as public relations director for the Creighton University in Omaha, assisted in the direction of the institution's radio panel as assistant director of the University of the Air, a midwestern program broadcast by WOW, the NBC regional station.

Programming

PROGRAM MANAGERS ORGANIZATION COMMITTEE MEETS

The Program Managers Organization Committee of NAB met in New York Monday and Tuesday (10-11) for the purpose of giving further consideration to the proposal that NAB inaugurate a Program Department with a full time director. The report of the Committee will be submitted to President Miller.

Present at the meeting were the following Committee members:

Harold Fair, WHO, Chairman; Eugene Carr, WHBC; Ralph Hardy, KSL; Henry W. Slavick, WMC, ex-officio, Chairman of the Program Managers Executive Committee; Douglas Coulter, CBS; Clarence Menser, NBC; Willard Egolf, NAB, Special Counsel.

NAB CODE COMMITTEE MEETS NEXT WEEK

The NAB Code Committee will meet Dec. 17-18 at the Palmer House, Chicago. Discussion of topics which are expected to consume the two-day period are:

(1) Discussion of Standards governing News Broadcasting.
(2) Recommendations to NAB Board with respect to "Exceptions" to the section entitled "Commercial Programs and Length of Commercial Portion"—also length of five minute news commercial.
(3) Discussion of limitation of commercials before, during and after chain and station breaks.
(4) General Discussion of present Standards of Practice and any suggestions for further revision.

Members of the Committee who are expected to attend are: Chairman Herbert Hollister, KANS; Edgar L. Bill, WMBD; Arthur B. Church, KMBC; Henry P. Johnston, WSGN; Merle S. Jones, WOL; Ed Yocum, KGHL; Jan Schimek, CBS, Inc.; William S. Hedges, NBC; A. D. Willard, Jr., NAB; Edward M. Kirby, NAB; and Willard D. Egolf, NAB.

Members of the Board Liaison Committee are: Chairman, Paul W. Morency, WTIC; Hugh Terry, KLZ; and Campbell Arnoux, WTAR.

Guest of the Committee on Monday, Dec. 17, will be E. R. Vadeboncoeur, Vice President, WSYR; Chairman, NAB Radio News Committee.

DAYTIME SERIALS AND SPONSORS RESPONSIBILITIES

Two nationally known authorities discussed day time serials and the responsibility of the sponsor at the Women's Institute of St. Paul last week, attended by an audience of 12,000. During the meeting, in which Dorothy Lewis, Coordinator of Listener Activity played a leading role, the American Forum of the Air broadcast a discussion on the subject "How Can We Keep Radio Free?" The MBS feature presided over by Theodore Granik, presented A. D. Willard, Jr., executive vice president of the NAB, Sydney Kaye, BMI General Counsel, FCC Commissioner Clifford J. Durr and Elmer A. Benson, chairman of the PAC Council.

The report on daytime serials was made by Frances Farmer Wilder, CBS Consultant on Daytime Programs:

Radio's Daytime Serial

Women of all kinds listen to daytime serials. Listeners are women with college education and women with money, as well as those who haven't such advantages. Over half the women who are at home in the daytime, listen to serials. Serial listeners are exactly like other women in their community. These are some of the facts uncovered by a recently completed survey of the whole field of daytime serials made by the Columbia Broadcasting System.

It was found that 54 per cent of the women at home in the daytime were listeners. They listened, on the average, to 5.8 serials a day or about 1 hour and 27 minutes each day. However, they listened 1 hour and 36 minutes a day to radio programs other than serials. They hear the serials 2.5 out of a possible 5 times a week, or about half the time. Serial listening is closely integrated with the life and work of the listener. Women reportd that 69 per cent of the time they were doing their housework while they listened, and they reported that listening to the stories made them forget their ironing, dishwashing, sewing and other routine monotonous tasks.

Based on educational and economic standing, women interviewed in the study were grouped in three cultural levels for purposes of comparison. As expected, there were wide differences in interest, opinions, attitudes, and activities between women in different cultural levels. Within the same cultural levels, however, no significant differences exist between women who listen to serials and those who do not. Listener and non-listener, within the same cultural level, go to church in about the same numbers and about as frequently. Both belong to clubs, go to movies, read magazines and newspapers. Within the same cultural level they do these things about equally. Both groups, listener and non-listener, were happy to the same degree, their attitudes toward themselves, toward their families, and toward the world about them were entirely similar (within the cultural level).

These facts were established by batteries of questions answered by women from all parts of the United States in interviews conducted by Elmo Roper (of *Fortune* polls), and the findings were checked by other outside researchers—Dr. Raymond Franzen, Dr. Paul Lazarsfeld, Dr. Carl Rogers.

Why do women listen to daytime serials? It is often said, "there is nothing else on the air to listen to." We looked at *that* one. We went to Boston, a large city; Columbus, a middle-sized city; Dubuque, a small city. We found that at all times there were five or more non-serial programs available. The statement then "there's nothing else on the air" is false-to-fact. There are other such false-to-fact statements, for instance: "Only illiterates or morons listen to serials." It was found that 40 per cent of the college women listen. The statement "women who listen are morbid—or will be" is also false-to-fact.

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There is no evidence to prove it. There *is* evidence to prove that women who listen are as happy as those who do not. Frequently these false-to-fact statements are made by critics who preface their remarks by saying, "Oh course, I *never* listen to serials, but—." Such criticism is unjustified. On the other hand, literary criticism of the serial form has justification and can serve a constructive purpose.

To understand the basis for literary criticism, our research experts spent hours listening to serials; they carefully studied numerous scripts; they analyzed thousands and thousands of comments from listeners and nonlisteners.

The women who listen to serials gave two reasons for listening: "It's true to life," and "they give lessons in living." But when the research staff analyzed the serial for content, plot, character and setting, it was found that the serials were not true-to-life. Characters were pretty much black *or* white; plot was frequently a series of improbable incidents. From listeners' comments it was found that the serials were considered true-to-life when one could identify such a character in the story and if the action "could happen." By analysis of both listeners' comments and scripts, the researchers found that much of this "trueness to life" is due to two factors: the human voice which is unquestionably *alive*, and the method of presentation. The serials are presented at the same time, five days a week, fifty-two weeks a year, and are closely related to the actual living pattern of the listener.

If this analysis is correct and sensible, we believe that it offers great encouragement to serial-program producers to improve the plays; that if they can be better written, can have greater literary and social and real dramatic value, they will not only be more effective in pleasing those who already accept them as true-to-life—but will also convince those who now think them artificial that they are in fact a reflection of life itself.

To improve serial stories our research staff, after an analysis of thousands of comments from listeners and nonlisteners, and a detailed study of the content of the stories, has offered several suggestions. These suggestions, made to increase the satifaction of the listener and to attract the nonlistener, are as follows:

1. Make the characters motivate the plot, because nearly half the listeners are primarily interested in characters.
2. Develop the social and economic situations of the characters more fully; let them represent more different "levels" of society. This will permit far greater variety in emotional values.
3. Play on wider themes. The love triangle and unrequited love are facts of life—but not the only ones.
4. Let motives be plausible. (A writer recently told me he had been asked to continue a current serial; when he took over he found the hero unarmed in a circle of 20 men, each with two drawn guns. He told the sponsor, "I'm sorry, but I can't write a Paul Bunyan. I've got to write about reasonable people getting out of plausible situations.") We know listeners like plausibility.
5. Use more logic, less contrived accident and coincidence in the story. Amnesia, surgical operations, kidnapping, and sudden death have great surprise value, and they happen in life, but not all the time to all people. And the clearer the *people* become in the story, the less the writer will have to rely on hackneyed plot tricks.
6. Use less narration, more live action. Our study showed that only 22 per cent of the action in these daytime serials occurred "on the microphone"—that is, acted out—the other 78 per cent was narration: "what-happened" being talked *about* by somebody else. (The same folks who listen daytime, listen to Lux Radio Theatre, The Aldrich Family, and Screen Guild at night—and they love the high pace of live action.)
7. Set higher standards of production, and make it possible for the writer to keep them high. Fifteen minutes a day, 5 days a week, 52 weeks a year—it's hard for a writer not to fall into routine. Stereotypes can be avoided both in casting and in production.
8. Be sure the total outlook of each serial is socially desirable rather than socially harmless. This does *not* mean that the serial should be used as a tract, as propaganda, or as a vehicle for controversy. A heroine can't well be a partisan Republican or Democrat without offending her opposites among the audience, but she can well be a woman with a sense of responsibility for governing our country—a woman who believes in the *vote* on both sides.

In conclusion, there is great hope for the serial story, for its sound entertainment, its pleasure, the good it does and can do. With a little intelligent cooperation from the specialists, the justified critics can have what they want. We know that the daytime serial is an important and helpful factor in the lives of American women. We think it will remain a part of daytime radio. And we know that it is steadily and rapidly being improved.

RESPONSIBILITIES OF A COMMERCIAL SPONSOR

The vice-president of General Mills, Inc., Samuel C. Gale, made an address on the responsibilities of the sponsor at the St. Paul meeting. His remarks follow:

There is little doubt but that the commercial sponsors of radio programs, particularly the experienced sponsors, have increasingly recognized certain responsibilities beyond the selling effectiveness of their commercial messages. This is in part a reflection of increased recognition by advertising as a whole that there is a social and economic and educational responsibility in the use of this selling tool. But in the case of a radio sponsor this is heightened by the more direct contact which radio gives the advertiser with his public. An advertiser in other media may go along for many years with practically no direct comment from those whom he reaches with his message. But once he becomes a radio sponsor he is sure to receive letters from the public, commenting upon the good or bad features of his program. Many of these letters are addressed to the president of the sponsoring company and in consequence he is brought into direct contact with the advertising program, which frequently had been wholly handled by other company executives. The result has been that from the top down, the members of a sponsoring organization feel a closer personal association with their radio programs than with practically any other phase of their advertising operations.

On the whole, this seems to be a very healthy situation. Advertising has, during the past twenty years, become such an important force in our whole life and economy, that those using this force should fill an intimate part in it, and should feel that it places upon them a real responsibility to make it more effective and more constructive.

Our company has recently announced three simple principles to govern all of our advertising:

1. Our advertising shall be factual, informative and educational.
2. Our advertising shall render the maximum of helpful service.
3. Our advertising shall, in so far as possible, attempt to expand markets rather than merely take business from a competitor.

We have been steadily working toward these principles for many years. With the approach of the end of the war, last summer, we finally put them down in the foregoing form, had them enthusiastically endorsed by the principal executives of the company, and incorporated them in our annual report to the stockholders at the end of our last fiscal year.

While many factors and considerations contributed to the formulation of this simple platform, our experience as sponsors of many different types of radio programs over a period of twenty-five years was a major force in bringing this about.

In interpreting these principles, in the development of our radio programs, we must think of the public as a whole, because radio is outstandingly a means of mass communication. In the case of radio programs broadcast during the working hours on week days, we consider

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our public primarily as a cross section of the homemakers of America. In the case of a program broadcast shortly before or after the traditional evening dinner hour, we think first of the boys and girls of the nation even though their parents may be listening with them. In the case of a program broadcast later in the evening, we think primarily of a mixed adult audience. In the case of a program broadcast in the very early morning hours we think first of the farm families and second of shift workers in industrial plants. The latter became a significant radio public during the war period.

As a sponsor we seek variety in our programs. Entertainment has been and always will be the thing most sought after by the biggest segment of the radio audience. In consequence, entertainment suitable to the particular public available at the various broadcasting hours is the biggest radio ingredient. News and other informative and cultural broadcasts have, however, shown marked increase in popularity during recent years. While news as such reached a peak during the latter months of the war, there is every reason to believe that helpful information of various types will be an increasingly important ingredient in radio broadcasting in the future. As a food manufacturer we have sought to meet this need, and our oldest continuous radio program is devoted strictly to the giving of sound and helpful homemaking advice and inspiration to the women of America. More and more attention is being given to the incorporation in our commercial messages of a maximum of factual information and helpful service. We believe that this is a sound trend which will grow in the months and years to come.

While radio in its twenty-five years has enjoyed phenomenal growth, it is still in many respects a youth. In the next twenty-five years the whole field of broadcasting will probably experience even more profound changes than it has to date. It is our hope and belief that commercial sponsors will grow with this great medium, and will use it not only as an economic force in the distribution of goods and services, but as a helpful force in enlightening and serving the public not only in the fields of entertainment and enlightenment, but in bringing the public and business enterprise closer together through the type of mass personal contact which this medium alone can offer.

INS HAS NEW RADIO COLUMN

In step with rapidly expanding interest in radio news on all fronts, the International News Service announces that it is launching a new radio column which will be supplied to newspapers using its wire service.

INS Radio News Manual

"The first thing to remember," says Robert W. Brown, executive news editor of the INS radio department, "is that radio's only editorial policy is a policy of good taste, accuracy and fair play."

The above observation is made by Mr. Brown in a new radio news manual which he has prepared. Further advice to the radio news room has been selected from the manual as follows:

"Consult with the newscaster on the spotting of the commercials, if the newscast is sponsored. For insance, do not follow a story of tragedy by a flip or humorous commercial.

"When possible, spot the commercial to follow some domestic story of not too grave consequence or some feature story. Thus the commercial will not break through some serious train of thought set up in the listener's mind. This not only makes for good taste, but it gives the advertiser a break.

"If a bulletin comes in on the teletype while the newscaster is on the air, get it to him as soon as possible, preferably before he reaches his backtimed section.

"Caution all newscasters against using the stock phrase, 'Here is a bulletin just handed to me' before he has had time to glance at the dispatch. It might not be a bulletin.

"Write in bold print a descriptive slug on every piece of copy handed to the newscaster while he is on the air.

"Make it 'Disaster Bulletin,' or 'Tax Story Bulletin,' etc. Thus tipped off as to the nature of the dispatch, he can introduce it smoothly.

"If the story handed to the newscaster while he is on the air reports the death of a prominent person, slug it: 'DEATH—SLOW.' On glancing at the label, he will not race right into such a dispatch with the same speed and expression used to describe an exciting news development.

"A 30- or 40-second headline-type summary is desirable at the end of the newscast.

"Some listeners might have tuned in late and missed an important dispatch. Others, with their interest aroused by some particular story, appreciate having it summarized for them at the end.

"Most newscasters prefer to end their program on a light note. In any case, never end it on a note of tragedy. This is not fair to yourself, the sponsor or the program following."

WHEN IS "OFF THE RECORD" OFF?

J. R. Wiggins, editor of the St. Paul *Pioneer Press* and *Dispatch*, makes the following comment on "off the record" statements in a new *Editorial Handbook* which he has recently written for the guidance of editorial staff members of the above mentioned papers. It is herewith reprinted for its possible interest to Radio News Directors:

"Those who wish to speak 'off the record' will have to satisfy the editors . . . that there is a cogent reason for the request, founded either in the necessity of military security or in the legitimate rights of a secret organization to privacy.

"When these necessities and rights do not obtain, statements made at public gatherings are not 'off the record.' They will be reported as fully as their news interests seem to warrant. What is said in a public meeting is not 'off the record.'"

INTERNATIONAL

PORTER COMMENTS ON BERMUDA RESULTS

Chairman Paul A. Porter of the FCC Monday (10) described the recent Bermuda Telecommunications Conference as "The greatest advancement in international communications since the establishment of direct radio circuits."

"The old position of a tight British monopoly and telegraph communications to Empire points was abandoned," Porter told a news conference, adding:

"Before the war, businessmen and newspapers could communicate to British Empire points only indirectly. The rate structure was irrational."

Porter said the conference of American and British Commonwealth of Nations representatives changed this situation by "two principal achievements: 1. By authorizing direct radio communications from the U. S. to principal points in the British Commonwealth. 2. By agreeing on substantial downward adjustments in telegraph rates for ordinary and press messages."

STATE DEPARTMENT REPORT ON BERMUDA CONFERENCE

Following is brief summary of Bermuda Telecommunications Agreement signed by the United States and British Commonwealth, as released last week by the Department of State:

1. Radiotelegraph circuits, existing direct circuits United Kingdom: Circuits retained subject to examination as to number required and consultation before any discontinued. Australia, New Zealand and India: One cir-

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“Telling the World” Report No. 5

Station Originations in Support Victory Loan

Period — November 25-December 1

(Network Originations Excluded)

Treasury Salutes		3,214
Music for Millions		2,575
Sing for Victory		1,700
Diary Personalities		1,885
Crosby Record		3,049
Gibbs Record		1,432
Wayne Record		1,483
Sports Personalities Speak		2,853
Industrial Leaders Speak		1,565
Wood Record		185
Stokes Record		237
Spots	Regular Length	45,341
	2-min	628
	3-min	268
Programs	5-min	793
	7-min	8
	10-min	433
	15-min	762
	25-min	3
	30-min	309
	45-min	4
	1 hour	31
	1 hour 5-min	2
	1½ hours	10
	1 hour 45-min	2
	2 hours	11
	2¼ hours	12
	3 hours	6
	4¼ hours	1

cuit each retained. Bermuda: Both circuits retained, subject agreement Bermuda Government. Gambia, Gold Coast and British Guiana: Circuits to be discontinued.

2. New circuits: South Africa: Governments of United States and South Africa to undertake a joint study to determine whether conditions justify establishment of circuits. Jamaica: One circuit to be established subject to agreement Jamaica Government. Palestine: One circuit to be established, subject to agreement of Palestine Government. Ceylon, Singapore and Hong Kong: United Kingdom in consultation with authorities of territories concerned, to undertake study to determine whether conditions warrant establishment of direct circuits.

3. General consideration: Signatory governments agree to present for consideration of next international conference statement on following lines, set out in a annex: general considerations concerning establishment of direct radiotelegraph circuits.

4. Exclusive arrangements signatory governments: not to support or approve efforts by their companies to prevent or obstruct establishment of direct circuits between the United States or British Commonwealth points and other countries.

5. Transit traffic. Traffic normally handled over direct circuits to be restricted to terminal traffic.

Article two: Telegraph Rates

6. Ceiling rates. Ceiling rate between United States and British Commonwealth 30 cents or 1s. 6d. full rate and 20 cents or 1s. Code. Existing international proportions for deferred and letter telegrams maintained.

7. Press rates. Ceiling press rate between United States and British Commonwealth six and one half cents or 4d. No rate already below this ceiling to be increased. Penny press rate within British Commonwealth is maintained and may be extended to any other country.

8. Terminal and transit charges. Terminal and transit charges for traffic to which ceiling rate applies to be uniform. Countries classified in two categories:

A. Extensive area.

B. All others for traffic to which the ceiling rate applies, terminal charge four cents or 2 and one half d. for countries in category A, and two and one half cents or one and one half d. for countries in category B. At transit charge three and one third cents or 2d. for countries in category A, and one and two thirds cents or one d. for countries in category B. Terminal and transit charges for other classifications of traffic proportional to the charges collected. Arrangements shall not involve any increase in existing terminal and transit charges.

9. Division of tolls. In case of direct circuits portion of tolls remaining after deduction terminal and transit charges divided 50:50. Reductions in payments for services over indirect routes resulting from the introduction of reduced rates to be borne in same proportion as present charges now divided. Applications of this section to existing contracts to be considered by parties concerned.

10. Currency. Tariffs to be drawn up in dollars and in sterling, and be approximately equivalent at $4.03 to 1 pound. In event of alteration in average of buying and selling rates for telegraphic transfer of dollars and sterling by more than 2 per cent for $4.03 to the pound, arrangement to be made on request for consultation on adjustment. In any country other than United States and United Kingdom schedule of charges in local currency for messages to be approximately equivalent of the tariffs in dollars and in sterling at average of buying and selling rates for telegraphic transfers of the currency in terms of dollars or sterling. Balance due between parties concerned to be calculated in accordance with tariffs in dollars and sterling and settlement made in currency of country of creditor party on the basis of $4.03 to the pound restricted to period up to date of request for consultation of new tariffs in event of change in exchange rate. In extending to other countries the new ceiling rate United States and British Commonwealth to seek establishment of a tariff on a dollar-sterling basis. Should international monetary fund provided for in the Bretton Woods agreement be established, any necessary modifications in provisions above to be considered.

11. Date arrangements. This article to be brought into force as soon as possible and not later than April 1, 1946. So far as practicable to be introduced as from a common date. Note: All references in this article to dollars and cents and to pounds, shillings and pence are United States and United Kingdom currency respectively.

Article Three. Press communications.

12. Private point to point channels for press principle approved.

13. Reception of multiple address press radio communications. United States and United Kingdom and Canada will permit direct reception. Australia, New Zealand, South Africa, India and the United Kingdom on behalf of her colonies will arrange for reception through the telegraph administrations, position of southern Rhodesia reserved.

Article Four. Cables.

14. Present arrangements for mutual consultation and cooperative action with respect to the trans-Atlantic cable to be continued.

Article Five. Standardization.

15. Commonwealth support recommendation to be made by the United States Government to study the establishment of a standardized switching system for international telegraph communications based on standard five unit code. To study the establishment of standards: carrier shift operation for single channel circuits. Multitone operation for multichannel circuits. Performance specifications for phototelegraphic equipment to provide for inter-working, including modulation equipment for radio transmissions.

Article Six. General provisions.

16. Consultation. Parties to agreement to consult on all matters coming within its purview, and advise one another regarding all intended changes in rates on routes of interest to one another.

17. Acceptance. By their approval of agreement all governments will accept it on own behalf and in respect of all colonies, et cetera.

18. Entry into force. Agreement comes into force between signatory governments upon the receipt by United Kingdom Government of the respective notifications of approval. Signatures follow. Agreement ends.

Following summary of protocol:

The Governments of the United Kingdom of Great Britain and Northern Ireland and of the United States of America covering exclusive telecommunications arrangements. The United Kingdom and the United States delegations agree.

1. It is understood that the question of any further modifications of the concession required to permit of the cooperation of other direct radiotelegraph circuits by the Saudi Arabian Government would be for determination by the latter.

2. Greece. If Greek and United States Governments desire direct circuit United Kingdom Government will promote it as soon as the new United Kingdom body succeeds to the rights and obligations of Cable and Wireless Ltd.

3. Should the United Kingdom Government desire to open direct radiotelegraph circuits with any countries with which United States companies may have exclusive arrangements, the United States Government will use their good offices with the United States companies and the governments concerned to meet these requests.

4. Applies similar language to any other countries where it might hereafter appear that United Kingdom or United States Governments hold exclusive arrangements.

5. Provides that circuits set up under protocol should be open to transit traffic only on conditions set out in agreement subject to concurrence of governments concerned. Protocol ends.

Television

TELEVISION INSTITUTE MEETS IN JANUARY

An attendance of more than 500 is expected at a meeting that will have as its chief topic the future of television on Jan. 29 at the Hotel Statler in Washington.

(Continued on next page)

Guest speaker will be Chairman Paul A. Porter of the FCC. Other speakers and their subjects are as follows: Richard Hubbell, Crosley Broadcasting Corp., chairman of a panel on "Programming and Production"; "Radio vs. Television," Hubbell; "Types of Television Programs," Harvey Marlowe, American Broadcasting Company; "Producing Television Programs," Bob Emery, Bamberger Broadcasting System; "Using Local Television Talent," Irwin A. Shane, editor of "Televiser"; "The Use of Film," Paul Alley, NBC; "The FCC and Television," Paul Porter; "Recent Television Developments," E. W. Engstrom, RCA Laboratories; "Our Use of Intra-Store Television," Dave Arons, Gimbel Brothers, Philadelphia; "A Report from Britain," Maurice Gorham, BBC, (Speaking from London); "Will Television Advertising Be Expensive?" Paul Mowrey, American Broadcasting Company; "How We Advertised on Television," Charles J. Durban, U. S. Rubber Company; "What Wanamaker's Has Done About Television," Herbert Taylor, Allen B. DuMont Laboratories; "Television's Challenge to the Advertiser," Dan D. Halpin; "Television Compared with Newspapers and Radio," Paul Raibourn, Television Products, Inc.; "The Queen Was in the Kitchen," film by William J. Valentine, American Central Mfg. Co.

TELE STEP-UP

WNBT, New York City, began a six-day television operation on Monday (10). On the air every day except Tuesdays, the station thus extends time on the air to about 17½ hours a week.

ABC-ABS AGREEMENT

An announcement comes from Mark Woods, president of the American Broadcasting Co., and Leonard A. Versluius, president of the Associated Broadcasting Corp., that an agreement has been reached whereby American will continue to use the ABC designation, and Associated will use the letters ABS to conform with the name under which Associated will in the future be known—Associated Broadcasting "System" instead of "Corporation."

RADIO IN UNRRA BILL

The House on Tuesday (11) approved a Senate-House conference Committee report which puts news and radio recommendations back into the $550,000,000 UNRRA appropriations bill, from which the Senate had struck a stronger amendment.

The amendment requesting the President to seek the admission of U. S. radio and press correspondents into UNRRA-aided countries to report news of UNRRA activities. Senate action still is necessary.

The rider is identical with one added by the House the week before to legislation authorizing U. S. participation in UNRRA for an additional 18 months. Written by Rep. Herter (R-Mass.), it was substituted for a rider by Rep. Clarence Brown (R-Ohio) which would have forced countries receiving UNRRA aid to permit its reporting by the American press.

FCC PERMITS ORAL ARGUMENT ON RAILROAD RADIO SERVICE RULES

The Federal Communications Commission yesterday adopted an Order permitting oral argument on the proposed new Part 16, Rules and Regulations Governing Railroad Radio Service, issued by the Commission on November 14, 1945. Oral argument is scheduled for December 20, 1945, at 10:00 A.M.

The Association of American Railroads, on behalf of its members, has filed objection to the adoption of Sections 16.21 and 16.22 of the Rules in the form proposed. The Association urges (1) deletion of the sentence in Section 16.21 relating to issuance of experimental authorizations to communications common carriers for the purpose of providing railroad radio service; and (2) that Section 16.22 be changed to provide that the license term for stations operating in this service shall be five years instead of two years as provided in the present Section 16.22. The Association further stated that it is possible that other objections may be presented when all the railroads have had further time to study the rules as a whole.

The Commission further ordered that the new Part 16 shall not become effective until further order of the Commission.

RR RADIO

Senator Wheeler announced Tuesday (11) that the Interstate Commerce Commission had recommended legislation which would authorize it to require the installation of radio or other communication systems on railroad trains.

The Commission's Legislative Committee wrote Wheeler that a Bill of that nature which he introduced in the Senate "reflects the wide interest in train communication systems, particularly those employing the principle of radio, which has been recently manifested."

NO SOVIET RADIO AT WAR DEPARTMENT

In response to inquiries from the press, the War Department last week issued the following statement:

There is no Soviet radio station existing in the War Department.

There is a three channel multi-channel radio communication system operated by the Army between this country and Algiers with an automatic relay from that terminal to Moscow providing two channels of communication. This system of communication with Moscow was established at the request of the United States Military Mission in Moscow on the recommendation of Joint Chiefs of Staff and under a directive of the Army Chief of Staff.

The facilities at the Moscow terminal of this communication system are provided by the Soviet Government in return for which it is provided the facilities of one channel of the system operated and controlled by the U. S. Army.

The British Government has repeatedly used similar facilities for communication between here and London and between here and other portions of the British Empire. In addition to this the British Government has the exclusive use of communication facilities rented by them from Western Union.

This system of communication was requested by the United States Military Mission in Moscow for its convenience in communicating with the United States. Existing commercial communications between the United States and Moscow were inadequate. Commercial facilities between these two countries only operated on a schedule of two to six hours a day with a resulting backlog of messages creating a three to four day delay.

The radio-telephonic security equipments referred to in a newspaper story as having been given to the British Government have never been used except under control and operation of the United States Army.

REMARKS OF HAROLD E. STASSEN AT THE ST. PAUL WOMEN'S INSTITUTE, DECEMBER 4

I count it a pleasure to join with you this evening in extending greetings, and a well done to the radio industry of America on this occasion of the 25th Anniversary of modern radio broadcasting. It is only 50 years ago that the Italian born, American citizen, Guglielmo Marconi, laid the groundwork for radio, this science of the air waves, with his presentation of wireless telegraphy to the world.

(Continued on next page)

Since that date men of many nations have made significant contributions to the development of radio. James Clark Maxwell, the Scotch physicist, discovered the nature of the ether through which radio waves are carried; Heinrich Herts, a German, produced electric waves that traveled through space; Edouard Branly, a Frenchman, invented an instrument that detects invisible impulses; Britain's John Ambrose Fleming; Hungary's Michael Pupin; and America's own electrical wizards, Thomas Alva Edison and Davis Arnoff, and Philo Farnsworth and Dr. Vladimar Sworykin, and many others have made significant contributions to the advance.

And thus it has been that we now can listen with the mere twist of the dial to programs from far corners of the earth.

Unquestionably this advance in radio has had a very significant impact upon the information of the people of the world. Unquestionably the success of the United Nations Conference at San Francisco was contributed to to a marked degree by the alert and rapid reporting and commenting on the airways. The degree to which the people of the world understand each other in the years ahead will have a very important bearing upon their success in living together. Radio—free radio—can and must play an important part in the development of this understanding and greater information between peoples. I hope the day is not too far distant when we have worldwide radio networks, with series of stations in every land, with programs originating in successions though the day from one nation after the other, with music and prose and drama and comment and news from around the globe, freely given, without censorship. When that day comes, it will mark an important milestone on that long and difficult trail toward a just and lasting peace in this, One World.

GOOD RADIO

Under the heading, *Advertising Pays Dividends in Good Radio*, Michael R. Hanna, who in addition to being managed of WHCU, Cornell University Station at Ithaca, is also a member of the NAB Public Relations Committee, has published the following editorial in his WHCU publication which is circulated among sponsors and listeners:

"It is not difficult to understand and in many cases to justify the complaint of some listeners that too much advertising tends to decrease one's enjoyment of radio. The broadcasting industry has enjoyed unprecedented advertising support during the past few years. Some broadcasters have given too little thought to the listener by paying too much attention to fiscal reports from their bookkeeping departments. It must be urged, however, that the entire industry must not be indicted for the mistakes of a few stations.

"The kind of radio America wants can be provided only by substantial advertising revenue. The Philharmonic Orchestra, fine educational programs, news, and top-notch radio entertainment generally cost a great deal of money. They are available today at no cost whatever to the listener. As the industry gets older, we note great strides in our house-cleaning campaign. More advertising is becoming more institutional and more dignified. Many stations are refusing to sell time to the less conscientious advertiser. Products represented in many printed media cannot be found on the schedules of radio stations. (Why not check that the next time you pick up a paper or magazine?).

"Just as a small income is reflected by a family's lower standard of living, so does a lack of advertising limit the quality and quantity of radio programs designed to serve the community. Proponents of government-owned, advertising-free broadcasts should be warned that the almost certain result will be political management of radio. Hitler owned broadcasting in Germany. In countries where it exists, government operation is much less solicitous of the tastes of all the people with the result that, because of the absence of the American system of competitive broadcasting, listeners are forced to either take or leave the offerings of a single government-operated network.

"It is not with smug satisfaction that we defend the American system. We say that it alone can serve best if broadcasters and listeners together speed up the housecleaning job."

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 17. They are subject to change.

Monday, December 17

Broadcast to be held before Commissioners Durr, Jett, Denny and Wills

KQW—Sherwood B. Brunton, Mott Q. Brunton and Ralph R. Brunton as Individuals and Trustees and C. L. McCarthy (Transferors), Columbia Broadcasting System, Inc. (Transferee)—Transfer of control of Pacific Agricultural Foundation, Ltd. (KQW), **740 kc.**, 5 KW., unlimited day-night and day.

NEW—Fred O. Grimwood, Bloomington, Indiana—C. P., **1490 kc.**, 100 watts, unlimited.

Wednesday, December 19

NEW—O. E. Richardson, R. W. Widdel, and S. G. Strasburg d/b as Voice of Marion, Marion, Ind.—C. P., **1230 kc.**, 250 watts, unlimited.

NEW—Chronicle Publishing Company, Inc., Marion, Ind.—C. P., **1230 kc.**, 250 watts, unlimited.

NEW—Booth Radio Stations, Inc., Logansport, Ind.—C. P., **1230 kc.**, 100 watts, unlimited.

Consolidated Hearing

NEW—Nashville Radio Corp., Nashville, Tenn.—C. P., **1450 kc.**, 250 watts, unlimited.

NEW—A. G. Beaman and T. B. Baker, Jr., a Partnership, d/b as Capitol Broadcasting Co., Nashville, Tenn.—C. P., **1450 kc.**, 250 watts, unlimited.

NEW—E. E. Murrey, Tony Sudekum, Harben Daniel and J. B. Fuqua, a Partnership, d/b as Tennessee Broadcasters, Nashville, Tenn.—C. P., **1240 kc.**, 250 watts, unlimited.

NEW—J. W. Birdwell, Nashville, Tenn.—C. P., **1240 kc.**, 250 watts, unlimited.

NEW—Tennessee Radio Corporation, Nashville, Tenn.—C. P., **1240 kc.**, 250 watts, unlimited.

NEW—Cecil N. Elrod, Cecil N. Elrod, Jr., and S. D. Wooten, Jr., a Partnership d/b as Murfreesboro Broadcasting Service, Murfreesboro, Tenn.—C. P., **1240 kc.**, 250 watts, unlimited.

Friday, December 21

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license, **590 kc.**, 5 KW., unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license, **1510 kc.**, 10 KW., unlimited day-night.

Federal Communications Commission Action

APPLICATIONS GRANTED

KLCN—Harold L. Sudbury, Blytheville, Ark.—Granted authority to determine operating power by direct measurement of antenna power, upon condition that no

(Continued on next page)

operation of the station may occur between local sunset and local sunrise.

W2XCS—Columbia Broadcasting System, Inc., New York City—Granted license to cover construction permit which authorized a new experimental television broadcast station, on an experimental basis only, conditions, and subject to changes in frequency assignment which may result from proceedings in Docket No. 6651. Power 1 KW. (peak) Vis. and 1 KW. Aur.

WINS—Hearst Radio, Inc., New York City—Granted modification of construction permit for extension of completion date to 2-28-46, subject to conditions as the Chief Engineer shall deem necessary to determine that the DA pattern is obtained and maintained, and subject further to the express condition that permittee herein shall satisfy legitimate complaints of blanketing within the 250 mv/m contour, including external cross modulation. (Action taken 11-30-45)

WATX—The Regents of the Univ. of Mich., Ann Arbor, Mich. —Granted modification of construction permit authorizing a new non-commercial educational broadcast station, to change frequency from **42.1 mc.** to "to be determined by FCC," change power from 50 KW. and type of transmitter to "to be determined," change transmitter location a distance of 420 feet and for approval of antenna, and extension of completion date to 6-16-46.

MISCELLANEOUS

Crescent Broadcast Corp., Shenandoah, Pa.—Granted motion for leave to amend application for a new station and the amendments filed with motion were accepted.

The New Mexico Publishing Co., Santa Fe, New Mexico—Granted petition for leave to amend its application for construction permit, and the amendment filed with motion was accepted.

Booth Radio Stations, Inc., Saginaw, Mich.—Granted petition for leave to amend its application for construction permit, and the amendment filed with motion was accepted. (Docket 6805)

Booth Radio Stations, Inc., Lansing, Mich.—Granted petition for leave to amend its application for construction permit, and the amendment filed with motion was accepted. (Docket 6927)

Booth Radio Stations, Inc., Grand Rapids, Mich.—Granted petition for leave to amend its application for construction permit, and the amendment filed with motion was accepted. (Docket 6957)

Booth Radio Stations, Inc., Flint, Mich.—Granted petition for leave to amend its application for construction permit, and the amendment filed with motion was accepted. (Docket 6923)

Valley Broadcasting Co., Stockton, Cal.—Granted motion for leave to amend its application for construction permit, the amendment was accepted and the application removed from the hearing docket.

WRAW—Raymond A. Gaul and Harold O. Landis, Transferors, WGAL, Inc., and Keystone Broadcasting Corp. (Transferees), Reading, Pa.—Granted petition for waiver of Sec. 1.382(b) of the Commission's rules so as to accept late their written appearance in re application for transfer of control of corporation, ordered said rules waived and accepted written appearance of petitioners.

E. Anthony & Sons, Inc. (Bristol Broadcasting Co., Inc.), Boston, Mass.—Granted motion for dismissal without prejudice of application for new FM station.

Utica Observer-Dispatch, Inc., Utica, N. Y.—Granted petition for leave to amend application for construction permit, and the amendment filed with petition was accepted.

WCAM—The City of Camden, Camden, N. J.—Granted motion for extension of time within which WCAM may file its exceptions to the Proposed Decision of the Commission, and ordered time extended to and including January 7, 1946. The Commission on its own motion extended the time to January 7 to the other parties involved in this proceeding to file their exceptions.

APPLICATIONS FILED AT FCC

580 Kilocycles

NEW—Middle West Broadcasting Co., Inc., St. Paul, Minn. (P. O. E622 First National Bank Bldg.)—Construction permit for a new standard broadcast station to be operated on **580 kc.**, power of 1 KW. night and 5 KW. daytime, unlimited hours of operation using directional antenna day and night.

780 Kilocycles

NEW—Eugene Broadcasters, Inc., Eugene, Oreg. (P. O. 1039 Willamette St.)—Construction permit for a new standard broadcast station to be operated on **790 kc.**, power of 500 watts night and 1 KW. daytime and unlimited hours of operation.

820 Kilocycles

NEW—Crescent Broadcast Corporation, Philadelphia, Pa. (P. O. 1017 Public Ledger Bldg.)—Construction permit for a new standard broadcast station to be operated on **820 kc.**, power of 1 KW. and daytime hours of operation.

950 Kilocycles

NEW—E. T. Wright, Orlando, Fla. (P. O.—P. O. Box #1176, Lakeland, Fla.)—Construction permit for a new standard broadcast station to be operated on **950 kc.**, power of 1 KW., directional antenna night and unlimited hours of operation.

990 Kilocycles

NEW—Frederick Wesley Mizer, Orlando, Fla. (P. O. 1325 Santa Cruz Ave., Coral Gables, Fla.)—Construction permit for a new standard broadcast station to be operated on **990 kc.**, power of 1 KW., directional antenna night and unlimited hours of operation.

1060 Kilocycles

KROY—Royal Miller, Marion Miller, L. H. Penney, Gladys W. Penney d/b as Royal Miller Radio, Sacramento, Calif.—Construction permit to change frequency from **1240 to 1060 kc.**, increase power from 250 watts to 5 KW., install new transmitter and directional antenna for night use and change transmitter location.

1110 Kilocycles

NEW—Rehall Broadcasting Co., Inc., Norristown, Pa. (P. O. 216 Main St., Beckley, W. Va.)—Construction permit for a new standard broadcast station to be operated on **1110 kc.**, power of 500 watts and daytime hours of operation.

1240 Kilocycles

NEW—H. L. Corley, tr/as Corley Radio & Sound Service, Trinidad, Colo.—Construction permit for a new standard Broadcast Station to be operated on **1240 kc.**, power of 100 watts and daytime hours of operation. Amended: to change power from 100 watts to 250 watts, hours of operation from daytime to unlimited time and change type of transmitter.

NEW—Whiteville Broadcasting Co., Whiteville, N. C. (P. O. c/o Leslie S. Thompson, Secty.)—Construction permit for a new standard broadcast Station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

1320 Kilocycles

NEW—KWHN Broadcasting Co., Inc., Fort Smith, Ark. (P. O. 799)—Construction permit for a new standard broadcast station to be operated on **1320 kc.**, power of 5 KW. daytime and 1 KW. night, unlimited hours of operation using directional antenna at night. Amended: re corporate structure.

(Continued on next page)

1340 Kilocycles

NEW—H. H. Kinney and D. T. Kinney, d/b as Cullman Broadcasting Co., Cullman, Ala. (P. O. 109 6th Ave., East)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Danville Broadcasting Co., Danville, Ky. (P. O. 121 So. 4th St.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation. Amended: to change requested frequency to **1230 kc.**, power to 100 watts.

WAIR—C. G. Hill and George D. Walker d/b as WAIR Broadcasting Co., Winston-Salem, N. C.—Construction permit to install new vertical antenna and change transmitter location.

1380 Kilocycles

KSWO—Oklahoma Quality Broadcasting Co., a Co-partnership composed of R. H. Drewry, J. R. Montgomery, Ted R. Warkentin and Robert P. Scott, Lawton, Okla. —Construction permit to change frequency from **1150** to **1380 kc.**, increase power from 250 watts to 1 KW., change hours of operation from daytime to unlimited time, install new transmitter and directional antenna for day and night use and change transmitter location.

1450 Kilocycles

WDAD—Indiana Broadcast, Inc., Indiana, Pa.—Modification of construction permit (B2-P-3864, as modified which authorized a new standard broadcast station) for installation of a new transmitter (W. E. 451-A1) and changes in ground system.

NEW—George Bennitt, Russell Bennitt & Hal Douglas, d/b as Fayetteville Broadcasting Co., Fayetteville, Ark.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: to add name of Hal Douglas to partnership.

NEW—Everglades Broadcasting Co., Ft. Lauderdale, Fla. (P. O. c/o R. R. Saunders, 803 Sweet Bldg.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

1490 Kilocycles

KBST—The Big Spring Herald Broadcasting Co., Big Spring, Tex.—Modification of construction permit (B3-P-3880 which authorized increase in power and changes in transmitting equipment) for installation of new transmitter and extension of commencement and completion dates.

1550 Kilocycles

NEW—Atlanta Radio Enterprises, Inc., Atlanta, Ga. (P. O. Box 197)—Construction permit for a new standard broadcast station to be operated on **1550 kc.**, power of 10 KW. and unlimited hours of operation employing directional antenna day and night.

1580 Kilocycles

NEW—Roy Hofheinz and W. N. Hooper, a partnership d/b as Louisiana Broadcasting Co., New Orleans, La. (P. O. New Orleans Hotel)—Construction permit for a new standard broadcast station to be operated on **1580 kc.**, power of 5 KW. and unlimited hours of operation employing directional antenna for day and night use.

FM APPLICATIONS

NEW—Telair Company, Akron, Ohio (P. O. 1200 Firestone Parkway—Construction permit for a new FM (metropolitan) broadcast station to be operated on frequency to be assigned and coverage to be determined.

NEW—Pittsburgh Radio Supply House, Pittsburgh, Pa.—Construction permit for a new FM (metropolitan) broadcast station to be operated on **46.5 mc.**, and coverage of 8,400 square miles. Amended to change coverage from 8,400 square miles to 11,400 square miles, change type of transmitter and make changes in antenna system.

NEW—Mid-State Broadcasting Co., Peoria, Ill. (P. O. 301 S. Adams St.)—Construction permit for a new FM (metropolitan) broadcast station to be operated on frequency to be assigned by FCC chief engineer and coverage to be determined.

NEW—Northeastern Indiana Broadcasting Co., Inc., Fort Wayne, Ind. (P. O. 1335 Lincoln Bank Tower)—Construction permit for a new FM (metropolitan) Broadcast station to be operated on frequency and coverage to be determined.

NEW—Scripps-Howard Radio, Inc., San Francisco, Calif. (P. O. 3800 Carew Tower, Cincinnati, Ohio—Construction permit for a new FM (rural) broadcast station to be operated on channel #40, **95.9 mc.** and coverage to be determined.

NEW—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif. (P. O. 206 North Main St.)—Construction permit for a new FM (metropolitan) broadcast station to be operated on frequency to be assigned by the chief engineer of FCC and coverage of 1,356 square miles.

NEW—John W. Grenoble, Joseph L. Maguire, John T. Maguire, and Kenneth F. Maguire, d/b as Miners Broadcasting Service, Pottsville, Pa. (P. O. Coal and East Norwegian Sts.)—Construction permit for a new FM (metropolitan) broadcast station to be operated on frequency to be assigned by FCC in **92-106 mc.** range and coverage of 12,600 square miles.

NEW—Metropolitan Broadcasting Corp., Washington, D. C. —Construction permit for a new FM broadcast station to be operated on frequency and coverage not assigned. Amended to specify frequency as to be determined by FCC, coverage as 13,700 square miles or such area as shall conform with FCC standards and transmitter site as vicinity of Wheaton, Md.

NEW—High Point Enterprise, Inc., High Point, N. C. (P. O. 305 N. Main St.)—Construction permit for a new FM (metropolitan) broadcast station.

NEW—Lamar Life Insurance Co., Jackson, Miss. (P. O. 315 E. Capitol St.)—Construction permit for a new FM (rural) broadcast station.

NEW—WJNO, Inc., West Palm Beach, Fla. (P. O. 1600 N. Flagler Drive)—Construction permit for a new FM (metropolitan) broadcast station to be operated on channel 56 (**99.1 mc.**) with coverage of 3,100 square miles.

NEW—Cleveland Broadcasting Inc., Cleveland, Ohio (P. O. 1708 Union Commerce Bldg.)—Construction permit for a new FM (metropolitan) broadcast station to be operated with coverage of 7730 square miles.

NEW—White Rose Broadcasting Co., York, Pa. (P. O. 35 East King St.)—Construction permit for a new FM (metropolitan) broadcast station.

NEW—WHP, Inc., Harrisburg, Pa. (P. O. 216 Locust St.)—Construction permit for a new developmental broadcast station to be operated on a frequency near **100 mc.**, power of 250 watts and special for FM emission.

NEW—Universal Broadcasting Co., Inc., Indianapolis. Ind. (P. O. 129 E. Market St.)—Construction permit for a new FM (metropolitan) broadcast station.

NEW—Medford Printing Co., Medford, Ore. (P. O. 27-29 N. Fir St.)—Construction permit for a new FM (community) broadcast station to be operated on channel 81 (**104.1 mc.**).

TELEVISION APPLICATION

NEW—National Broadcasting Co., Inc., Chicago, Ill.—Construction permit for a new commercial television broadcast station to be operated on channel 4, **66-72 mc.** with ESR of 2380. Amended to change ESR from 2380 to "not specified," type of aural transmitter and omit request for facilities of W9XZV and changes in antenna system.

(Continued on next page)

MISCELLANEOUS APPLICATIONS

WEW—The St. Louis University, St. Louis, Mo.—Construction permit to increase power from 1 KW. to 50 KW., hours of operation from daytime to unlimited time, install new transmitter and directional antenna for night use and change transmitter location from St. Louis, Mo., to Blackjack, Mo.

WJWC—J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co., Area of Columbus, Ga.—License to cover construction permit (B3-PRY-304) for a new relay broadcast station.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

Edward Baum, trading under his own name and as Mega-Ear-Phone, 6114 Carpenter St., Philadelphia, selling and distributing a device designated "The Mega-Ear-Phone," made of oiled silk material for insertion in the external auditory canal, is charged in a complaint with misrepresentation. (5408)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

R. C. Miller, trading as R. C. Miller & Co., 2614 McNally St., Altadena, Calif., has been ordered to cease and desist from disseminating false advertisements concerning the therapeutic properties of a medicinal preparation designated "Nonat." The respondent formerly traded as Marie Leiblinger & Co. (5064)

Olive L. Potter—An order to cease and desist from disseminating false advertisements concerning the properties of Tiptex, a cosmetic preparation for the fingernails, has been issued against Olive L. Potter, 1015 S. Hayworth Ave., Los Angeles. (5305)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Hugo Gernsback, trading as National Plans Institute, P. O. Box 26, New York, has entered into a stipulation to cease and desist from certain misrepresentations concerning a booklet on mail-order selling plans entitled "Cash In." (4129)

Max L. Guthartz, also known as Max Guthart, trading as Guthart Laboratories, Guthart Labs., Guthart Chem. Co., B. M. Guthartz Mfg. Co., Engineering Radio Co., and Eng. Radio Company, 2872 West 29th St., Brooklyn, selling and distributing sundry commodities, has stipulated to cease and desist from certain misrepresentations concerning his products. (4126)

E. F. Timme & Son, composed of William E. Roschen, Ilse Bishoff, Martha E. Sultan and Carola Terwilliger, 1 Park Ave., New York, acting as sales agent for certain plush and pile manufacturers, has stipulated to cease and desist making certain representations about a fabric, composed entirely of rayon and cotton, so manufactured as to resemble or imitate the wool or fleece of the Persian or Karakul lamb known to the trade and public as "Broadtail." (4125)

Warner-Patterson Co., South Michigan Ave., Chicago, selling and distributing a compound designated "Warner Liquid Solder" for use in stopping leaks in automobile cooling systems, has stipulated to cease and desist from certain misrepresentations concerning the product. (4127)

FTC CASE CLOSED

Kay Preparations Co., Inc., 522 Fifth Ave., New York, entered into a stipulation with the Federal Trade Commission to cease and desist from disseminating false advertisements concerning certain "Kay" cosmetics and preparations for the scalp.

After accepting the stipulation the Commission closed without prejudice the complaint in which Kay Preparations Co., Inc., had been named as one of the respondents. The complaint was not dismissed as to the other respondent, John Stillman, who was president of the corporation and who did not enter into the stipulation.

Under the stipulation Kay Preparations Co., Inc., agrees to cease and desist from representing, among other things:

That Kay Formula 31 corrects or eliminates skin blemishes and works underneath the make-up to clear the skin;

That Kay Colloidal Sulphur Skin Soap, by reason of its sulphur content, or otherwise, is effective in treating surface skin disorders or that by its use healthy skin will be kept healthy;

That Kay Colloidal Sulphur Beauty Cream, by reason of its sulphur content, or otherwise, possesses valuable healing properties for the skin, keeps the skin healthy or causes it to become smooth and young looking;

That the product heretofore sold as Kay Creamy Milk Lotion will eliminate parched or flaked skin, or cause the skin to become soft, smooth and pliant; or, by use of the word "milk" in the trade name for the preparation, or otherwise, that it contains milk in any significant amount;

That Kay "Fresh as a Daisy" Pick-Up Masque is effective in eliminating temporary fatigue lines or will stimulate and "firm up" the tissues;

That the use of Kay Sheer-Spun Face Powder discourages enlarged pores or protects the natural moisture of the skin;

That rancid oils and dead cuticle harden and crystallize on the surface of the scalp and that the product heretofore sold as Kay Reconditioning Hair and Scalp Treatment will dissolve and remove them; that it is an effective treatment for dandruff; or, by use of the word "reconditioning" in the trade name for the product, or otherwise, that it will recondition the scalp.

NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 51, December 24, 1945

Music

A LETTER FROM MR. PETRILLO

The following letter signed by Mr. James C. Petrillo, president of the American Federation of Musicians, addressed to the networks, is published for the information of station members:

AMERICAN FEDERATION OF MUSICIANS
of the United States and Canada
Affiliated with the American Federation of Labor

Office of the President
570 Lexington Ave., New York 22, N. Y.
December 5th, 1945

Dear Sir:

You will possibly recall that during the war, the Federation waived its objections to network broadcasts of programs emanating from foreign countries, even though music for these programs was furnished by musicians who are not members of the American Federation of Musicians.

We considered this a necessary wartime measure to promote goodwill and good relationship with other countries, and were very happy to cooperate.

However, now that the war is over, we believe that we should get back to normal as rapidly as possible. Therefore, will you kindly discontinue the broadcasting of any musical programs emanating from foreign countries effective December 31, 1945.

This, of course, does not apply to the Dominion of Canada where the musicians are members of the American Federation of Musicians.

Sincerely yours,

JAMES C. PETRILLO,
President.

JCP:NMH

NEW DIRECTIVE WILL AFFECT ARMY AND RELIGIOUS BROADCASTS FROM OVERSEAS

The new directive issued by Mr. Petrillo presumably will result in the cancellation of a new series of Army programs involving the use of Army musical and entertainment units, which were being planned for release early in the New Year from Tokyo and from the European Theatre of Operations. Purpose of the programs, as explained by Army radio officials, was to reflect the morale of American troops of occupation as well as to provide another continuing radio link between home and our men overseas.

The directive, it appears, applies also to broadcasts of seasonal religious programs such as Christmas and Easter services from the Vatican and from other religious centers the world over, which featured famous musical organizations and choirs.

Merry Christmas!

Each and every member of the NAB Staff sends to you and to each and every member of your staff, best wishes for a Merry Christmas, and a most happy, prosperous New Year.

It seems certain that the directive will result in the cancellation and further development of exchange programs between this country and the United Kingdom where musicians are involved, even though the musicians in England are paid by the BBC at rates established there, and in the United States by the networks under prevailing wage scales.

According to the text of the Petrillo letter, to the networks, the ban applies to the "broadcasting of any musical programs emanating from foreign countries." What effect this will have on the broadcasting of such programs by transcription, as arranged by correspondents of individual stations in overseas areas during the war, is not yet known.

Programming

CODE COMMITTEE RECOMMENDS FURTHER REDUCTION IN COMMERCIAL COPY TIME

Stressing the need of doing a better selling job with less copy, and calling for a general improvement in the quality of commercial copy writing, the NAB Code Committee met in Chicago (Dec. 17-18) to consider continued improvement in commercial copy standards in the postwar period.

The Committee's recommendation will be submitted to the Board of Directors who meet in Los Angeles, Jan. 3-4. It called for a limitation of commercial content in "participation," "musical clock," "shoppers guides" and similar

(Continued on next page)

NAB Reports
The National Association of Broadcasters
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of FM and Government Relations;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Special Counsel;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Miscellaneous Activities.*

programs; for a reduction in commercial time allowed in five minute news and straight five minute programs.

E. R. Vadeboncoeur, WSYR, Chairman of the NAB Radio News Committee, attended the meeting to discuss standards of news broadcasting.

During the course of the two day deliberations, the Committee studied reports from the Small Markets Stations Committee and from the Sales Managers Executives Committee.

The Code Committee's report includes a request that the new NAB Standards of Practice, adopted by the NAB Board of Directors, August 7, 1945, be discussed at forthcoming District Meetings. Those in attendance were: Herbert Hollister, KANS, Chairman; Edgar L. Bill, WMBD; Arthur B. Church, KMBC; Merle S. Jones, WOL; Ed Yocum, KGHL; Jan Schimek, CBS; William S. Hedges, NBC; Willard D. Egolf, NAB; and Edward M. Kirby, NAB, Public Relations Counselor.

TRUMAN ON 5 NETS CHRISTMAS EVE

President Truman will light the Christmas tree on the White House lawn, and deliver a five minute address to the Nation on its first peacetime Christmas Eve since 1940. The 5 networks will carry it to the people.

BURTON SETS INDIANA NEWS CLINIC

All Indiana stations have been invited to attend the first 1946 NAB Radio News Clinic, at the Columbia Club, Indianapolis, Thursday, Jan. 3, by D. A. Burton, president, Indiana Local Broadcasters Association, and licensee of WLBC, Muncie.

The Clinic and a session on labor relations will occupy the entire second day of the Association's two day meeting, Jan. 2 and 3.

John Morgan Davis, general counsel, will advise on labor relations; Arthur Stringer will represent the Radio News Committee of which he is Secretary.

WIP ISSUES BOOKS ON SCHOOL SERIES

At 11:15 a. m., Monday through Friday, WIP, Philadelphia, broadcasts a program for in-school listening.

In order that teachers may have advance knowledge of all programs in the series, the station has distributed booklets to teachers in Philadelphia public, parochial and private schools and to such schools in Camden, Montgomery, Bucks, Delaware, and Chester counties, in Pennsylvania; and Atlantic, Burlington, Gloucester and Salem counties, New Jersey.

The week's schedule is:

Monday—"Exploring Music," conducted by Mary Van Doren and addressed generally to grades 4 through 9. *Tuesday*—"Great Moments in Science," conducted by Dr. Roy K. Marshall, director of the Fels Planetarium, is addressed to students in grades 7 through 12. *Wednesday*—"A Trip to the Zoo," narrated by Warren Kay, is addressed to grades 3 through 7. *Thursday*—"Lest We Forget—Our Constitution," dramatizations designed to promote good will through the telling of stories about the Constitution of the United States, is addressed to grades 7 through 12. *Friday*—"Behind Today's News," a young people's newscast written especially for their enjoyment by Alexander Griffin, WIP-Mutual commentator, is addressed to grades 5 through 12.

WCHS CRUSADES IN HEALTH EXPOSE

Taking the initiative in a local public health expose, WCHS has demonstrated how a radio station may serve the public interest in its community.

A public health crisis developed on Dec. 1, says Howard L. Chernoff, managing director of the station, with the resignation of the county health officer, Dr. E. W. Langs. Langs had been sent to Charleston by the U. S. Public Health Service in 1944 to make a survey and recommend changes in the local public health set-up. Newspapers in Charleston featured front page stories on Sunday, Dec. 2, about the doctor's resignation but on Monday the matter had apparently been forgotten.

Chernoff, however, believed the matter so important that he invited the doctor to speak on a special radio program Monday night. The doctor also agreed to attend a town forum or mass meeting in the WCHS Auditorium on Friday evening, Dec. 7, to answer any questions and criticisms that might be proffered.

The mass meeting was announced on Tuesday morning and received widespread publicity in the newspapers each day until it took place. Advertising space was also placed in both papers by the station to further promote the event. Special announcements were used whenever possible on the station for the remainder of the week.

The meeting was a tremendous success. Over 2000 civic minded people came to the WCHS Auditorium to hear the resigning health officer, and other officials, including the mayor, tell their stories. Representatives of the local medical society, social agencies and civic organizations attended the meeting and endorsed the proposals to consolidate the city and county health departments.

At the conclusion of the open forum, the people elected four prominent citizens to meet and decide upon further action on the public health problem. It is expected that an announcement will soon be forthcoming from this committee.

Chernoff indicates that although the radio station probably acquired many new enemies among city and county officials, it was the purpose of WCHS to afford the public an opportunity to discuss the health problem.

He adds that although no plans have been made to hold regular public forums, this initial mass meeting was so great a success that WCHS is considering establishing the forum as a regular part of the station's activities.

Broadcast Advertising

Advertising Agency Recognition Bureau

Plans for a presentation to the radio industry on the pros and cons of establishing an Advertising Agency Recognition Bureau were completed this week at a meeting of a sales manager subcommittee at NAB headquarters.

The presentation will first be made to the NAB Board meeting January 3-4 in Los Angeles. If approved, it

(Continued on next page)

will become part of the agenda for the district meetings to follow. The presentation consists of explanatory remarks covering the background of the proposal, a transcription giving in dramatized form some of the current station-agency problems, and a questionnaire to learn the wishes of the industry.

Attending the meeting were Stanton P. Kettler, WMMN, chairman; Harold Soderlund, KFAB; Lewis H. Avery, station representative; Miss Muriel Reger, New York script writer, and Frank E. Pellegrin, Allen Brown and Hugh M. Higgins of the NAB Department of Broadcast Advertising.

Joske Clinic Report

Satisfactory progress continues in the use of radio advertising on a large scale by Joske Bros. Co., leading Texas department store in San Antonio. Frank E. Pellegrin, Broadcast Advertising Director, spent the ten-day period of December 7-17 in San Antonio, reviewing progress with store executives and with officials of the five stations that carry the extensive schedule. The year's clinical test will be concluded December 31.

Work will begin immediately after January 1 on preparation of the clinical reports. While it is expected that several months will be required for gathering, analyzing and publishing the material, the NAB intends to issue the report in sections, thereby speeding release.

A subcommittee of sales managers has been named to advise and assist in preparation of the reports, consisting of Cecil Beaver, WOAI, chairman; Walter Johnson, WTIC; Arthur Hayes, WABC, and Lewis H. Avery, station representative and former NAB Broadcast Advertising Director, who initiated the Joske clinic. A similar advisory subcommittee of leading retailers is planned. The reports, when published, will be made available to all radio stations and to all retailers.

Although Joske's plans for radio advertising in 1946 were not definitely formulated by the time Pellegrin left San Antonio, it was clear that the store would continue to be substantial users of air time.

Ernst & Ernst, nationally known auditors, have completed an analysis of the first nine months' business at the store, and will make a year-end study when the store closes its fiscal year on January 31, 1946. It is expected that this information will not be available until March, possibly April. Meantime a year-end consumer survey will also be made, paralleling a similar study made at the outset of the clinic, to determine if possible any changes in consumer attitudes as a result of Joske's radio campaign.

A survey will also be made in January of all key store personnel to obtain their comments and reactions.

District Sales Managers Meetings

Agenda are being prepared for the series of sales managers meetings to be held as part of the NAB district meeting series beginning in January. Suggestions for topics to be discussed are invited.

Small Market Stations

Small Market Stations agenda are now being completed for the coming series of NAB District Meetings, beginning January 7 in Los Angeles. District chairmen will receive copies of the agenda soon.

Salesmen's Compensation

Many replies to the Small Market Station survey on salesmen's compensation have already reached NAB headquarters. Judging from the information in to date, station management has found incentive compensation plans to be the most effective. Here are excerpts from some of the stations:

(Continued on next page)

MEETINGS AHEAD

Committees and Board

FM Executive Committee	**Dec. 28, 1945**	**Palmer House**	**Chicago, Ill.**
Board of Directors	**Jan. 3-4, 1946**	**Roosevelt Hotel**	**Hollywood, Calif.**

District Meetings

16th District	**Jan. 7-8, 1946**	**Roosevelt Hotel**	**Hollywood, Calif.**
15th District	**Jan. 10-11, 1946**	**Fairmont Hotel**	**San Francisco, Calif.**
17th District	**Jan. 14-15, 1946**	**Olympic Hotel**	**Seattle, Wash.**
10th District	**Jan. 25-26, 1946**	**Fontenelle Hotel**	**Omaha, Nebr.**
14th District	**Jan. 28-29, 1946**	**Brown Palace**	**Denver, Colo.**
13th District	**Jan. 31-Feb. 1, 1946**	**Baker Hotel**	**Dallas, Texas**
12th District	**Feb. 4-5, 1946**	**Tulsa Hotel**	**Tulsa, Okla.**
6th District	**Feb. 7-8, 1946**	**Peabody Hotel**	**Memphis, Tenn.**
11th District	**March 18-19, 1946**	**Nicollet Hotel**	**Minneapolis, Minn.**
8th District	**March 21-22, 1946**	**Pantlind Hotel**	**Grand Rapids, Mich.**
7th District	**March 28-29, 1946**	**Gibson Hotel**	**Cincinnati, Ohio**

New York State station: "Originally, we had a commission payment system of 20% on programs and 12½% on announcements, on the theory that we wanted to encourage sale of programs; but, since radio has grown up and the salesmen have grown up with it, we have abolished this differential and adopted a system of straight 15% for everything. This has worked out very satisfactorily inasmuch as we, as a station, limit the number of spots available for sale and control the situation without difficulty. In addition, the salesmen know the distinct advantage of programs over spots and have concentrated on that."

Minnesota: "We compensate our salesmen on a straight commission basis of 15 per cent, payable on collection of the account. We also pay all reasonable expenses including entertainment, authorized travel, etc. We prefer the straight commission arrangement, as do the salesmen, since we have never found an adequate substitute for the incentive system. They do so well on this arrangement that we have no problem in connection with drawing accounts, etc. It is true that under this arrangement the salesmen receive compensation far out of proportion to that given other key personnel. We feel that this is the only objection to the plan that we use."

Mississippi: "This station pays on a salary and commission basis. We have one man drawing $175.00 per month salary plus 5% commission on all local sales made by him and 1% on all accounts collected by him. Another salesman works only out-of-town accounts. He draws a salary of $175.00, a sales commission of 10% and hotel room expense when required to stay over night. This salesman pays all other traveling expense. We feel that a radio time salesman should have a small guaranteed salary and a commission basis offering a good opportunity to make money."

Washington State: "We pay our salesmen a straight salary plus a 10% commission on all programs produced."

Massachusetts: "We pay our local radio time salesmen on a straight salary basis. We have two of them and each one gets $50 per week. Incidentally each one also gets five weeks' bonus at Christmas time."

Ohio: "We have a commercial manager whom we are paying $400.00 per month salary, plus a bonus of two per cent on billings over twenty thousand up to thirty thousand bracket; thirty to forty thousand, three percent; forty to fifty thousand, four per cent; and two per cent above fifty thousand. We have two salesmen, one of whom receives a drawing account of fifty dollars per week against fifteen per cent on sales. The other salesman receives thirty-five dollars per week salary plus fifteen per cent above a thousand dollars production per month."

Nebraska: "We pay our salesmen on a straight salary basis and no commission. However, with only one full-time salesman, I too, am not so sure that a slight percentage in addition to regular salary would not be an added incentive. I certainly would like to hear a complete discussion on the matter at our District meeting in Omaha, January 25 and 26. Rate of pay for our salesman is $60 a week."

NAB TO PREPARE GLOSSARY OF RADIO TERMS AND DEFINITIONS

The NAB seeks the help of the membership in collecting a glossary of radio terms and definitions now in general use which have evolved through the years.

There is a more important purpose of this glossary than just the mere collection of colorful terminology and its derivation, interesting as it will be. The reiteration of some obvious misnomers, or the lack of definition as to what is meant by this word or that phrase has, in some recent cases, lead to confusion and possible harm to the industry.

For example: Recently NAB Headquarters received an inquiry as to the definition of the phrase *"spot business."* Did this mean just spot announcements, or did it mean all national *"spot business"*? Inasmuch as the inquirer was endeavoring to compile certain business statistics of the industry for a government agency, the proper definition of the term became all-important.

Again, the reiteration of the phrase *"public service"* when *"public interest"* is meant, is another example. An American broadcasting station is not a *common carrier* with which the phrase *"public service"* is associated by all regulatory bodies throughout the nation. A radio station is licensed to serve the *"public interest."* Efforts should be made by all members to make the distinction clear.

Another misnomer is the phrase *"sustaining program."* What is your definition of a sustaining program? A *sustaining program* is a non-revenue producer which is *sustained* by income from commercially sponsored shows. A *"sustainer"* does not sustain the program service of the station. Obviously without commercial revenue, the program service could not be *sustained*, yet we continue to use the phrase *"sustaining program."* Why?

These are some of the phrases and definitions we hope to secure for compilation and comparison in the glossary. *Send us in your definitions.*

Much of the material sent in will be interesting and sometimes amusing. For example: Who first used the term *"nemo"* and why? And what's your idea of *"Studio X"*? And do you know what is meant by the phrase *"Balaban & Katz"* ending. Station managers are requested to invite staff members to send in their contributions to the glossary also.

FM Department

33 MORE FM GRANTS

The Federal Communications Commission Thursday (20) announced 33 additional grants for new FM stations and designated three applications for hearing, making a total of 350 conditional grants made since October.

The effect of these conditional grants is to announce the fact that the Commission has examined the qualifications of the respective applicants, has been satisfied with respect thereto, and has made available a channel for each grantee. The Commission will now examine each application for its engineering details, and in each individual circumstance a

(Continued on next page)

grantee may be requested to file within a period of 90 days of such request such additional engineering and other data as may be necessary.

Under this procedure grantees are enabled to proceed promptly with their preliminary plans for obtaining certain items of equipment, programming and other details necessary to the establishment of their proposed stations. The proposals of each grantee relating to transmitter power and antenna height are still under review, and each will be notified if any further data is necessary in this connection.

Following is a list of the grants:

City	*Grantee*	*Interest in Standard Station*	*Type of FM Station*
CALIFORNIA			
Sacramento	McClatchy Broadcasting Co.	KFBK	Metropolitan
Sacramento	Lincoln Dellar	KXOA	Metropolitan
San Bernardino	The Sun Co. of San Bernardino	—	Metropolitan
San Bernardino	Lee Brothers Broadcasting Co.	KFXM	Metropolitan
Riverside	The Broadcasting Corp. of America	KPRO	Metropolitan, possibly Rural
ILLINOIS			
Brookfield	George M. Ives	—	Community
Carbondale	Southern Ill. Broadcasting Corp.	—	Metropolitan
Evanston	North Shore Broadcasting Co., Inc.	—	Community
Kankakee	Kankakee Daily Journal	—	Metropolitan
Mt. Vernon	Midwest Broadcast Co.	—	Metropolitan
Waukegan	Keystone Printing Service, Inc.	—	Metropolitan
INDIANA			
Shelbyville	Shelbyville Radio, Inc.	—	Metropolitan
MASSACHUSETTS			
Fitchburg	Mitchell G. Meyers, Reuben E. Aronheim & Milton H. Meyers	WEIM	Metropolitan
Holyoke	The Hampden-Hampshire Corp.	WHYN	Metropolitan
Springfield	WMAS, Inc.	WMAS	Metropolitan
MICHIGAN			
Wyandotte	Wyandotte News Co.	—	Community
NEW HAMPSHIRE			
Manchester	Harry M. Bitner	WFEA	Metropolitan
NEW YORK			
Corning	W. A. Underhill and E. S. Underhill, Jr., d/b as The Evening Leader	—	Metropolitan
Dunkirk	Dunkirk Printing Company	—	Community
Hornell	The W. H. Greenhow Co.	—	Metropolitan, possibly Rural
Ithaca	Cornell University	WHCU	Rural
Ogdensburg	St. Lawrence Broadcasting Corp.	WSLB	Rural
Oswego	Palladium-Times, Inc.	—	Metropolitan
Syracuse	Onondaga Radio Broadcasting Corp.	WFBL	Metropolitan
Watertown	The Brockway Co.	WWNY	Metropolitan
OHIO			
Cincinnati	The Cincinnati Times Star Co.	WKRC	Metropolitan, possibly Rural
Cincinnati	The Crosley Corp.	WLW	Metropolitan
Cincinnati	L. B. Wilson, Inc.	WCKY	Metropolitan
Cincinnati	Buckeye Broadcasting Co.	WJJD	Metropolitan
Cincinnati	Scripps-Howard Radio, Inc.	WNOX	Metropolitan
PENNSYLVANIA			
Allentown	Lehigh Valley Broadcasting Co.	WSAN	Metropolitan
York	White Rose Broadcasting Co.	—	Metropolitan

The three following applications were designated for consolidated hearing:

Midwest FM Network, Inc.; Farnsworth Television and Radio Corp., and Northeastern Indiana Broadcasting Co., Inc., all for Fort Wayne, Indiana.

A MESSAGE TO THE NEW FM MEMBERS OF NAB

NAB President Justin Miller has sent to all FMBI members, who, as the result of the consolidation arrangement, entered the ranks of NAB membership, the following letter of welcome:

Now that FMBI and NAB have worked out an understanding looking toward the complete integration of their activities, it becomes my privilege to welcome you into membership in our Association. The statement of principles upon which we have agreed assures to the entire broadcasting industry a highly beneficial development.

You are already aware, no doubt, that we have estab-

(Continued on next page)

lished a new department in NAB which will be devoted entirely to FM. We are pleased to announce that the director of this new FM Department is Robert T. Bartley, who was FMBI's first Secretary-Treasurer from its organization in 1940 until 1943, when he came to NAB as our Director of Government Relations. Mr. Bartley will welcome your suggestions at any time as to how he can best serve you.

To you, as a new member of NAB, I extend the same invitation as I did to its other members a short time ago that you advise me upon the following points:

1. What services which NAB is now performing do you value most highly?
2. What services which NAB is now performing should be done better?
3. What should NAB do for you which it is not doing at the present time?

In the earlier invitation I assured our members that as a Judge I became well accustomed to hearing both sides of contested cases, frankly stated. Please pull no punches but tell me just what you think.

With all good wishes for a long and successful association in NAB, I am

Sincerely,
JUSTIN MILLER, *President.*

Legal

Davis Resigns as NAB General Counsel

John Morgan Davis, who has served as NAB general counsel since August 1944 has tendered his resignation. He will continue to direct the activities of the Legal Department until his successor has been named and assumes his duties. Mr. Davis plans to devote his full attention to the private practice which he has maintained with the law firm of Davis and Short, Philadelphia, of which he is senior partner.

In tendering his resignation Mr. Davis states that he feels he must necessarily apply his full energies to the expanding activities in his Philadelphia office. Mr. Davis points out that postwar expansion in the industry is placing demands upon the NAB Legal Department that can only be satisfactorily handled by full-time counsel, now available due to the war's end, and that his other commitments preclude his own full attention to these matters.

Engineering

FCC ANNOUNCES ADDITIONAL EQUIPMENT STANDARDS

The equipment listed below has been approved by the Federal Communications Commission since the publication of the current issue of Standards of Good Engineering Practice Concerning Standard Broadcast Stations (Revised to June 1, 1944). This equipment will be included in the next reprint of the Standards.

Standard Broadcast Transmitters:

Collins	300-G	100/250 w
Federal	165-A	5 kw
Gates	1-D	1 kw
RCA	BTA-250L	250 w
RCA	BTA-1L	1 kw
RCA	BTA-5F	5 kw
RCA	BTA-10F	10 kw
RCA	BTA-50F	50 kw
G. E.	BT-20-A	250 w
G. E.	BT-21-A	1 kw
G. E.	BT-22-A	5 kw
G. E.	BT-23-A	10 kw
G. E.	BT-25-A	50 kw

Frequency Monitors (Standard broadcast):

RCA	311-AB	Approval #1462

Automatic Frequency Control Units:

Westinghouse	Type LK-1
Westinghouse	Type LK-2
RCA	UL-4392

Automatic Temperature Control Unit:

Valpey	Type CBC-0

Manufacturers of low temperature coefficient crystals:

Silver City Crystal Company, Meriden, Connecticut
James Kniths Company, Sandwich, Illinois

Vacuum Tubes for last radio stage:

Manufacturer & Type		*Power Rating—Watts*		
		Table A	*Table B*	*Table BC*
Amperex	228-R	—	1000	—
Amperex	343-R	5000	2500	—
Heintz-Kaufman	257	—	75	—
RCA	893A-R	10000	10000	—
Taylor	TW-150	125	—	—
W. E.	232-BA	—	—	5000
Westinghouse	WL-473	2500	500	—

FCC RULES AMENDED

The Federal Communications Commission has amended Part 11 of its Rules Governing Miscellaneous Services to provide for the use of type A-0 and Special emission by geological stations, in addition to the A1, A2, and A3 types of emission already provided for in Section 11:83. Information received from various sources indicate that developments in methods of use of radio in the discovery of petroleum require the use of the additional A-0 and Special emissions. Since these types of emission result in a very narrow band width and the probabality of interference is less than when using type A-3 emission, Section 11:83 was amended to read as follows:

"Sec. 11.83 — FREQUENCIES — The following frequencies are allocated for use by geological stations and are available for type A-0, A-1, A-2, A-3 and Special emission:

1602
1628
1652
1676
1700
30620
31060
33540
35540

JETT CALLS MEETING ON N. A. REGIONAL BROADCASTING AGREEMENT

Commissioner E. K. Jett, the Chief Engineer and the General Counsel of the Commission will meet representatives of industry on Friday, January 4, 1946, to discuss matters to be considered at the forthcoming engineering conference relating to the North American Regional Broadcasting Agreement.

The only proposals which have so far been submitted by countries signatory to the North American Regional Broadcasting Agreement are those of Cuba, and the proposal of the Canadian Government for an extension of the period of the agreement for two years. This notice is for the purpose of inviting the assistance of engineers and others

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"Telling the World" Report No. 6

Station Originations in Support Victory Loan

Period — December 2-8

(Network Originations Excluded)

Treasury Salutes		3,193
Music for Millions		2,668
Sing for Victory		546
Diary Personalities		1,761
Crosby Record		2,925
Gibbs Record		1,277
Wayne Record		1,154
Sports Personalities Speak		2,245
Industrial Leaders Speak		1,967
Wood Record		216
Stokes Record		206
Spots	Regular Length	41,540
	2-min	1,329
	3-min	1,164
Programs	5-min	690
	10-min	209
	15-min	917
	25-min	21
	30-min	319
	45-min	8
	1 hour	10
	1½ hours	3
	2 hours	3
	2¾ hours	1
	3 hours	2
	3½ hours	1
	4 hours	1

able to give technical assistance in the consideration of the questions raised by the Cuban proposals. It is hoped that through this means the Commission's representative who may be designated to assist in formulating the viewpoint of this country at the conference will be better prepared for that responsibility.

The meeting which will be held in Room 6115 at 10:00 o'clock, Friday, January 4, will be concluded on that day subject to call for later sessions if found necessary or advisable. In order to aid in the arrangements for the meeting and the disposition of matters to be brought up, interested persons are requested to notify Commissioner E. K. Jett of their intention to participate, by letter, on or before January 2, 1946. In this connection, information is requested as to identity of persons who will appear, by office or position, and if the appearance is in a representative capacity, the identity of the persons or firms in whose behalf they will appear. It is further desired that persons desiring to attend the meeting indicate in their responses their main points of interest.

The Cuban proposal follows:

Submitted by the Cuban Delegation to the Delegations of the other countries signataries or adhered to the North American Regional Broadcasting Agreement.

The Cuban Administration considers that the inclusion in the NARBA of precepts which do not respond to technical aspects, such as the non-allocation to Cuba of channels to be used with 50 kw. or more, under 1000 kc., which are the most appropriate to render service to large rural zones due to the greater propagation of emissions in this section of the frequency spectrum; also of not having taken advantage of geographic peculiarities which permits the largest use of the frequencies destined to the transmission in the MF band have placed Cuba in a disadvantageous position, preventing it to render a broadcasting public service demanded by its national needs, in accordance with its Constitutional, and its political and social structure.

Under 1000 kc., when Canada may use 5 channels, Mexico other 5 channels, and United States of America uses more than 21 channels with 50 kw. or more, Cuba can use only 4 of these channels *with 15 kw. or less.*

In this same section of the spectrum Cuba needs to be able to use 4 channels with up to 50 kw., 4 channels with 20 kw., and 2 channels with 10 kw., and another 4 channels with a power of from 500 watts to 5 kilowatts.

Besides this, in accordance with II B, 8, (b) and (d) of the NARBA Cuba claims for itself the right to use the channel of 690 kc. as clear channel to be used in Cuba by a class 1-A station.

The Cuban Administration, after a precise technical study of the present condition of the broadcasting stations of the countries which join the NARBA demands the right to use the following channels: 580 kc. from 5 to 10 kw. directional antenna east of the Villas; 600 kc. up to 50 kw. directional antenna east of the Villas; 620 kc. up to 20 kw. directional antenna east of the Villas.

These stations should be classified as stations II, special channels for Cuba, as per Table V, Appendix I.

640, 730, 740 and 800 kc. in any locality of the Island, with directional antennas as class II stations, giving to the existing Dominant station the protection quoted in the Appendix I, Table I, to class 1-B stations.

860, 910 and 920 kc. in any locality of the Island, with directional antennas as stations of the class II, guaranteeing the same protection, limiting his power to a maximum of 20 kw.

950, 960, 1030 and 1060 kc., in any of the Island's localities, with directional antennas, as II class stations, guaranteeing the same protection and limiting its power to a maximum of 10 kw.

Furthermore Cuba demands the right to use Class II station up to four of the following channels: from 500 watts to 5 kw. employing directional antennas and guaranteeing to the existing Dominant station the protection determined in Appendix I, Table I, to class I-B station. 660, 670, 720, 760, 770, 780, 880 and 890 kc.

Considering that the NARBA ceases to be in force on March 29th of 1946, the Cuban Administration requests the urgent drafting of a covenant agreement or understanding which will permit it to use the channels Cuba requires, under the appointed conditions, as a undispensable measure to maintain order in the use of the broadcasting channels in the region covered by said agreement.

In so far as the use of the said channels requires expensive installations useful only for the specific frequency of the station that will use it, the Cuban Administration finds no justification to compel its broadcasting station the construction of such installation unless the stations would be protected through Regional Agreements or Understandings, with the neighbor nations with which it would have to share these channels, economically prudential length of time, against changes.

Further Reorganization in FCC Engineering Staff

The Federal Communications Commission, Thursday (20), announced as a further step (see NAB Reports, p. 572) in its reorganization of the Engineering Department, the following changes which will be placed in effect at an early date:

The Field and Research Branch will be headed by Assistant Chief Engineer George E. Sterling and will consist of four divisions:

Field and Monitoring Division, headed by George S. Turner
Technical Information Division, headed by Dr. Lynde P. Wheeler
Laboratory Division headed by Chas. A. Ellert
Allocation Division headed by Paul D. Miles.

The Safety and Special Services Branch will be headed by William N. Krebs and will consist of three divisions;

Marine and General Mobile with Howard C. Looney as Acting Chief
Emergency and Miscellaneous Division headed by Glen E. Nielsen
Aviation Division with George K. Rollins as Acting Chief pending the return of Edwin L. White who will head this division.

As indicated in a Commission release of November 28, 1945, the Broadcast Branch, consisting of three divisions, namely, Standard, FM and Television, has already been organized and the Common Carrier Branch consisting of four Divisions, Domestic, International, Rate and Field is in the process of reorganization.

Television

JUSTICE DEPARTMENT CHARGES PARAMOUNT PICTURES WITH ANTI-TRUST VIOLATION

Attorney General Tom C. Clark announced the filing, Tuesday (18), in the United States District Court for the Southern District of New York of a civil action charging Paramount Pictures Corporation, Television Productions, Inc., General Precision Equipment Corporation, Scophony Corporation of America, Scophony Limited, Arthur Levey, Earle G. Hines, and Paul Railbourn with violations of the Sherman Antitrust Act in the manufacture and sale of television equipment.

The complaint alleges that the defendants entered into a conspiracy whereby General Precision Equipment Corporation (General) and Television Productions (Productions) have complete control over the promotion, utilization or suppression of the Scophony inventions within the Western Hemisphere, particularly the United States; that the world was divided into two non-competitive areas wherein Scophony Limited (Limited) would not compete

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within the Western Hemisphere and General and Productions would not compete within the Eastern Hemisphere; that Scophony Corporation of America (SCA) would not compete in either hemisphere; and that other manufacturers of electronic equipment were prevented from making and selling products embodying the Scophony inventions.

Productions is a wholly-owned subsidiary of Paramount Pictures, Inc. (Paramount). Paramount also owns 50 per cent of the stock of Allen B. Du Mont Laboratories, Inc. General is the largest single stockholder in the Twentieth Century Fox Film Corporation, and three of its Board of Directors are members of Twentieth Century's Board of Directors. The stock of SCA is owned and controlled by General, Productions and Limited.

For about eight months prior to the outbreak of war between England and Germany on September 1, 1939, Scophony television equipment had been installed in several theatres in London, England, and special events such as prize fights, horse races and pageants were shown to capacity audiences. Limited also had demonstrated commercial television sets with large screens for use in the home, school, clubs and pubs. With the outbreak of war the British Broadcasting Corporation discontinued television broadcasting which might have served as directional beams for German bombers. Limited then dispatched representatives, engineers and television equipment to the United States.

On or about May 1941, Limited signed a contract for continual presentations of commercial television showings in a New York City theatre. This is believed to be the first contract of its kind in the United States. A television broadcast of a horse race won by Seabiscuit was televised before the patrons of the New York theatre. Effective July 1, 1941, the Federal Communications Commission changed its television standards. Material priorities in the United States defense program are said to have prevented American manufacturers from making a new part for the Scophony television theatre equipment which was required by the new FCC television standard.

It is alleged in the complaint that General and Productions have failed to make any substantial or serious effort to develop and exploit products embodying the Scophony inventions which are completely within their control within the United States. The complaint further points out that other manufacturers in the motion picture and electronic fields have been and are ready, willing and able to develop and exploit such products.

The commercial television sets which Limited has presented in England and in the United States utilized its "supersonic" system of television. This system of television reception is completely different and independent of the cathode ray-fluorescent material system which is being publicized and exploited in the United States. The distinguishing feature of Scophony television is its ability to present large-size pictures. The supersonic system is able to employ a strong independent light source to amplify and enlarge the television signal received by the Scophony receiver; in this regard it draws on the technique and experience of motion picture projection.

Patents owned by Limited and by SCA also purport to cover a third system for the reception and transmission of television images, namely, the "skiatron" system. In this system a modified cathode ray tube produces an image which can be projected and enlarged by an independent source of light. Commercial television sets embodying this system have not yet been produced but radar equipment utilized the "Skiatron" tube to produce large-size radar images. It is claimed that only this system at present has the possibility of presenting color television which will employ the "subtractive" principles of color which are employed in technicolor motion pictures and Kodachrome photographs.

The effects of the conspiracy and agreements entered into by the defendants are listed in the complaint as follows:

1. Defendants have been substantially and unreasonably restraining, monopolizing and attempting to monopolize interstate and foreign trade and commerce in television equipment and in the products embodying the Scophony inventions.
2. Competition in the manufacture and sale of television equipment and products embodying the Scophony inventions has been eliminated or suppressed.
3. General, Productions and SCA have refrained from competing with Limited in the Eastern Hemisphere in the manufacture and sale of television equipment and products embodying the Scophony inventions.
4. Limited has refrained from competing with General, Productions and SCA in the Western Hemisphere in the manufacture and sale of television equipment and products embodying the Scophony inventions.
5. SCA has refrained from competing with General and Productions within the Western Hemisphere and with Limited within the Eastern Hemisphere in the manufacture and sale of television equipment and products embodying the Scophony inventions.
6. Competition in the Western Hemisphere between General and Productions has been restricted by a division of fields of operation under the Scophony inventions.
7. General and Productions have acquired complete power and control over the promotion, utilization or suppression of Scophony inventions and products purporting to be covered thereby in the Western Hemisphere.
8. Competition in utilization of the Scophony inventions for television broadcasting purposes has been restricted.
9. Competitors of Paramount and Productions in the motion picture and electronic fields in the Western Hemisphere have been and are unable to obtain licenses under the Scophony inventions, and have been and are prevented from employing the essential advances in the television art and from utilizing the important television products purported to be covered thereby.

The complaint asks that the defendants be perpetually enjoined from conspiring and entering into agreements to carry out the above antitrust violations, that the other corporate defendants be required to divest themselves of their respective interests in SCA, and that the defendants be enjoined from instituting infringement suits or any other legal proceeding for the enforcement of any alleged right under any of the present or future Scophony inventions.

Wendell Berge, Assistant Attorney General in charge of the Antitrust Division, said:

> The promise of television has been greatly heralded as a symbol of and as a foundation stone for the post-war world. It promises new job opportunities, new industries, the expansion of established industries, and new entertainment and participation vistas. Competition can accelerate the fulfillment of these promises. By instituting this suit, the Antitrust Division of the Department of Justice seeks to break an artificial barrier to normal competition forces that the defendants have erected by their illegal conspiracy and agreements.

TELE ASSIGNMENTS ANNOUNCED

The Federal Communications Commission Friday (21) made public a list of assignments for the present Commercial Television licensees and licensees of ten existing experimental television stations.

All of the commercial assignments which were announced today are for Metropolitan stations with their existing powers and antenna heights. Changes in the assignments of ten existing experimental television stations were made to prevent interference to commercial stations,

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to achieve uniformity of licensing where the same equipment is used experimentally and commercially by the same licensee or to remove television operation from frequencies assigned to other services.

In regard to the date of the frequency change the Commission announced that the amateur service is using 56 to 60 mc. under Commission Order No. 130 until March 1, 1946. Since 54 to 60 mc. will be assigned to television and part of the 50 to 56 mc. band now assigned to television will be assigned to the amateur service, the frequency change may best be made on March 1, 1946. Since this requires a shift in frequencies for both the amateur service and the television service, the following procedure will be employed:

1. Existing stations that must change frequency will go off the air on or before March 1, 1946, and return to the air with regular programs on or before July 1, 1946 on their new assignments.

2. The amateur service will change from the frequency space between 56 and 60 mc. to the space between 50 and 54 mc. on March 1, 1946.

3. Stations assigned channel No. 2 (54-60 mc.) may not begin operation before the 56 to 60 mc. frequency space is vacated by the amateur service on March 1, 1946.

4. The same procedure outlined in 1, 2 and 3 will be applied to experimental stations except that there will be no date set for return to new assignments.

The complete assignment of frequencies as made by the Commission is set forth in the following table:

Commercial Television Broadcast Stations

Location	*Licensee*	*Call Letters*	*New Assignment Channel No.*
Chicago	Balaban & Katz	WBKB	4 (66–72 mc)
New York	Columbia Broadcasting System, Inc.	WCBW	2 (54–60 mc)
New York	Allen B. DuMont Labs., Inc.	WABD	5 (76–82 mc)
New York	National Broadcasting Co.	WNBT	4 (66–72 mc)
Philadelphia	Philco Radio & Television Corp.	WPTZ	3 (60–66 mc)
Schenectady	General Electric Co.	WRGB	4 (66–72 mc)

Experimental Television Broadcast Stations

Location	*Licensee*	*Call Letters*	*New Assignment Channel No.*
Chicago	Balaban & Katz	W9XBK	4 (66–72 mc)
Cincinnati	Crosley Corp.	W8XCT	4 (66–72 mc)
New York & Passaic, N. J.	Allen B. DuMont Labs. Inc.	WX2VT W2XWV	5 (76–82 mc)
Los Angeles	Don Lee Broadcasting System	W6XAO	2 (54–60 mc)
Springfield Twp. Pa.	Philco Radio & Television Corp.	W3XE	3 (60–66 mc)
Los Angeles	Television Productions, Inc.	W6XYZ	5 (76–82 mc)
Chicago	Zenith Radio Corp.	W9XZV	2 (54–60 mc)
Camden, N. J.	Radio Corp. of America	W3XEP	6 (82–88 mc)
Iowa City, Ia.	State Univ. of Iowa	W9XUI	1 and 13 (44–50 mc) and (210–216 mc)

FCC ISSUES TELE ENGINEERING STANDARDS

The Commission's engineering standards relating to the allocation and operation of television broadcast stations have been released and will go forward in a special bulletin as soon as it can be completed by the printer. This should be during the coming week. The Commission's Rules and Regulations contain references to these standards, which have been approved by the Commission and thus are considered as reflecting its opinion in all matters involved.

The Commission has issued a statement on the standards which follows in part:

"The standards set forth are those deemed necessary for the construction and operation of Television broadcast stations to meet the requirements of technical regulations and for operation in the public interest along technical lines not otherwise enunciated. These standards are based upon the best engineering data available, including evidence at hearings, conferences with radio engineers, and data supplied by manufacturers of radio equipment and by licensees of Television broadcast stations. These standards are complete in themselves and supersede previous engineering standards or policies of the Commission concerning Television broadcast stations. While these standards provide for flexibility and indicate the conditions under which they are applicable, it is not expected that material deviation from the fundamental principles will be recognized unless full information is submitted as to the need and reasons therefor.

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"These standards will necessarily be revised from time to time as progress is made in the art. The Commission will accumulate and analyze engineering data available as to the progress of the art so that these standards may be kept current with technical developments."

Miscellany

NAB REPORTS NOW PUBLISHED ON MONDAY

Beginning with the present issue, NAB REPORTS will appear under a Monday dateline, instead of Friday as has been the custom. Copy deadline will be Friday night, with printing and mailing on Saturday. This move is made in order to correspond the deadline to the close-of-business for Government agencies, which are now operating on a 5-day week.

Heavy postwar schedules, coupled with the shorter week, have necessitated additional hearing days at the Commission, with much important news breaking on Friday.

Under this new publishing arrangement, NAB REPORTS will reach you with a full resume of news of the previous week, with no "carry-overs."

COY NAMED WINX GM

The appointment of Wayne Coy, assistant to the publisher of The Washington Post, as general manager of WINX Broadcasting Co., effective January 1, 1946, was announced yesterday by Eugene Meyer, president of the broadcasting company.

STEINWAY ON MUSIC COUNCIL EXECUTIVE COMMITTEE

At a meeting of the executive council of the National Music Council in New York on Dec. 14, William R. Steinway was elected a member-at-large of that committee. Mr. Steinway is well known in music and manufacturing circles, being connected with the piano company which bears his name.

FREE SPEECH SHACKLES FORCES OF TYRANNY

The Charleston, S. C., *News-Courier* makes the following comment on the Wood Bill (see NAB REPORTS, p. 561) in a recent editorial *Attempt to Muzzle Radio*, reprinted herewith in part:

". . . A spokesman for the house committee on un-American activities has been quoted as saying, 'The time has come to determine how far you can go with free speech.' From this distance it appears that the gentleman was amply qualified for service on the ambiguously named congressional committee. The proposed bill would provide for 'closer regulation of wild, irresponsible analysts and to make a clear distinction between news and prejudiced viewpoints'.

"Who is to be the judge of prejudice?

"The News and Courier, affiliated with a radio broadcasting station, has firsthand knowledge of conditions in the spoken as well as the printed field of communications. To establish governmental authority over the opinions that may be expressed over the air is tantamount to abridgment of the freedom of the press. There can be no doubt that had the authors of the Bill of Rights foreseen the invention of radio they would have included it in the guaranty of press freedom. Let not their successors in authority, however limited in understanding, untie bonds which shackle the forces of tyranny and grant them an opportunity to wriggle back to power."

NEW ZEALAND IMPORT RESTRICTIONS LIFTED

The New Zealand government has revoked the war time restriction on importation into New Zealand of radio apparatus, which has been in effect since November, 1940.

Items specially mentioned in the initial restrictive order included any radio transmitter or receiver capable of being easily converted to transmission, radio tubes exceeding 10 watts, and frequency control crystals.

DAVIDSON CBC SUBMISSION CRITICISED

Of interest to American broadcasters, who hear much on how free should radio be and why, are some of the answers suggested in an editorial which appeared in the Nov. 21 issue of the Toronto, Can., *Globe & Mail.* New chairman, A. Davidson Dunton, is seen as submissive to the status quo of CBC policy. Headed *Government Commands, CBC Obeys*, the editorial follows in full:

"When Hon. Mr. St. Laurent, Minister of Justice, announced in the House of Commons that all references to prison riots were to be deleted from CBC news reports, on the ground that such information created unrest in other prisons, he assumed there were only two alternatives available. One was to eliminate all radios from Canadian penitentiaries; the other was to suppress the news. Both were drastic, and of the two he undoubtedly chose the worse. And in making that choice he again revealed in yet another quarter the Government's dictatorial tactics in screening its administration from public scrutiny.

"The shocking thing about this announcement is that it was made by Mr. St. Laurent. Even more shocking is the admission that he 'insisted' that the suppression be accepted in defiance of the principle of Government non-interference with the publicly owned broadcasting system. It is not the Government's function, still less is it Mr. St. Laurent's responsibility, to determine policy for the CBC.

"It is possible to understand the concern of the Minister of Justice over unrest in the prisons, but it is not possible to accept his expedient for dealing with it. The conditions in the prisons which bring about riots are not new. They were not new in 1938, when, after two years of investigation, Mr. Justice Archambault presented his comprehensive report on prison reform. On this report the Government has done nothing substantial. The unrest in prisons in Canada was not created by radio broadcasts, nor will it be greatly reduced by deletion of references to it in radio news reports. The effect of this Government pressure on the CBC, in order to protect the Government, is to deprive that part of the public which pays a license fee to support the CBC of its rightful privilege of complete news.

"The solution of the problem of prison unrest is a responsibility of the Government. The maintenance of the freedom of communication is the responsibility of the CBC. It is not in keeping with the function of the latter to accept dictation from the Government about what may or may not appear in news broadcasts. Mr. St. Laurent said he had two alternatives. There is a third: to implement the prison reform so long overdue, and thus remove both the cause and effect of prison unrest. Pending this, and as the occasion requires, Mr. St. Laurent can delete news broadcasts from prison radio programs.

"The incident is the less excusable since it is as a result of criticism arising out of interference of this kind that the post of full-time chairman of the CBC was established. It is regrettable that the first publicly noticed act of the newly appointed chairman. A. Davidson Dunton, whose professional career has hitherto been associated with the tradition of the free press, should be submission to this highhanded instance of Government interference with his prerogatives."

FCC RR RADIO RULES EFFECTIVE DEC. 31

Following oral argument by the Association of American Railroads and the American Telephone and Telegraph

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Company, the Federal Communications Commission Thursday (20) ordered that its rules and regulations governing the new Railroad Radio Service will be finally effective December 31, 1945.

At the request of the Association and with the agreement of the A. T. & T., the Commission deleted the final sentence of Secton 16.21 of the proposed rules which were issued November 14, 1945.

The portion of the rules deleted would have authorized communications common carriers to be issued experimental authorizations for railroad radio service stations. The deletion was made because such experimental authorizations may now be obtained under Part 5 of the Commission's Rules and Regulations Governing Experimental Radio Services.

The Association also requested that the license term for railroad radio stations be five years, instead of the two years provided in the proposed rules. The Commission refused to extend the two year license term at this time on the basis that it is customary in new services to have a shorter license term for the initial period so that there can be flexibility in making any necessary revisions in frequency assignments.

FCC GRANTS 16 CPs FOR AM STATIONS

Elsewhere in REPORTS under *Applications Granted* is a list of 16 CPs for standard broadcast stations which were announced by the Commission on Friday (14).

NAB solicits your comment on the following resolution which was adopted at a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of December, 1945:

WHEREAS, The Commission in its decision in the matter of Powell Crosley, Jr., transferror, and Aviation Corporation, transferee (Docket No. 6767) announced that it was considering proposed new rules and regulations prescribing procedure to be followed in cases involving the assignment of license or transfer of control of corporate licensees; and

WHEREAS, The Commission is of the opinion that a proposed new rule, Section 1.383, prescribing such procedure—which appears in an appendix to this Order—may serve public interest, convenience and necessity; and

WHEREAS, The Commission is of the opinion that it will best conduce to the proper dispatch of business and to the ends of justice that all interested persons be given an opportunity to file briefs and to appear before the Commission to argue orally why the proposed rule should not be adopted or why it should not be adopted in the form proposed in this Order;

NOW, THEREFORE, IT IS ORDERED, That upon a written request of any interested persons, oral argument be held before the Commission *en banc* at a date to be designated, as to why the proposed rule should not be adopted or why it should not be adopted in the form proposed in this Order. Such request for oral argument shall be filed on or before January 15, 1946, by any person desiring to appear and each such request shall be accompanied by a brief.

Appendix

Section 1.383—*Assignment and transfer of control.*—(a) Applications for consent to the assignment of a construction permit or license for an AM, FM, television or other broadcast station or for consent to the transfer of control of a corporation holding such a construction permit or license shall be filed with the Commission on Form F.C.C. No. 314 (Assignment of License) or F.C.C. No. 315 (Transfer of Control). Each application shall be accompanied by a copy of a proposed notice in a form prescribed by the Commission which notice the licensee or permittee shall cause to be published at least twice a week for the 3 weeks immediately following the filing of such application in a daily newspaper of general circulation published in the community in which the station is located. The notice shall state the terms and conditions of the proposed assignment or transfer, the name of the proposed assignee or transferee, and, further, that any other person desiring to purchase the facilities upon the same terms and conditions may file an application to this effect with the Federal Communications Commission within 60 days from the date of the first publication of the notice, which date shall be expressly set forth therein. Upon receipt of the application, the Commission itself will issue a similar public notice stating the terms and conditions of the proposed sale and stating that others may file competing applications for the same facilities upon the same terms and conditions.

(b) No action on any such application will be taken by the Commission for a period of 60 days from the date of filing, during which time any person desiring to purchase the facilities upon the same terms and conditions may file a competing application. In the case of such competing application, it shall be necessary for the applicant to execute only so much of the application form as relates to the proposed assignee or transferee—F.C.C. Form No. 314, Part II, and Form No. 315, Part III.

(c) If no competing application is filed during this 60-day period, the Commission will consider the original application upon its merits and will grant it if it appears from an examination of the application and supporting data public interest will be served thereby; otherwise it will be designated for hearing. If, during such 60-day period, any other application is filed, all such applications will then be considered simultaneously upon their merits, and if, upon such consideration, it appears that the proposed assignee or transferee selected by the licensee is the best qualified and that the transfer would otherwise be in the public interest, the Commission will grant the original application without a hearing. If the Commission is unable to make such a determination upon consideration of the several applications, the original application and all competing applications will be designated for hearing, to be heard in a consolidated proceeding, to determine among other things which of the applicants is best qualified to operate the station in the public interest.

(d) If, at the conclusion of such hearing, the Commission is of the opinion that the proposed assignee or transferee selected by the licensee is the best qualified and that the transfer is otherwise in the public interest, an order will be entered granting the original application. However, if the Commission is of the opinion that one of the other applicants is the best qualified and that a transfer is otherwise in the public interest, an order will be entered denying the original application, and stating that the Commission's consent to an assignment of the license or construction permit or to the transfer of control of the corporate licensee or permittee to such competing applicant will be given provided the licensee or permittee and such competing applicant enter into and file with the Commission within 30 days from the date of such order a contract for the assignment of the license or construction permit, or the transfer of control of the licensee or permittee, to such competing applicant upon the same terms and conditions as stated in the original application or upon such other terms and conditions as the parties may agree upon and which new terms and conditions the Commission shall find to be in the public interest.

(e) The provisions of this section shall not apply to the following cases: (1) where there is a reorganization of a corporation which holds a license or construction permit, involving no change in beneficial ownership; (2) where there is an assignment from a decedent to his executor or administrator or from the executor or administrator to his duly appointed successor. This section, however, shall apply to an assignment or transfer from an executor or administrator to heirs, trustees, or third persons; (3) where there is an assignment from an individual or individuals to a corporation owned and controlled by such individual or individuals without any change in their respective interests or from a corporation to the individual stockholders controlling such corporation when there is no change in their respective interests; or (4) any other assignment or transfer that does not involve any change in the actual or beneficial ownership of the licensee.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 24.

Federal Communications Commission Action

APPLICATIONS GRANTED

Austin Broadcasting Co., Austin, Tex.—Granted construction permit for a new standard broadcast station to operate on **1300 kc.**, 1 KW power, unlimited time, directional antenna for nighttime use. (B3-P-4192.)

Marietta Broadcasting Co., Marietta, Ohio.—Granted construction permit for a new station to operate on **1490 kc.**, 250 watts, unlimited time. (B2-P-3895)

Western Carolina Radio Corp., Shelby, N. C.—Granted construction permit for a new station to operate on **730 kc.**, 250 watts power, daytime only. (B3-P-3767)

KWBU—The Century Broadcasting Co., Corpus Christi, Tex.—Granted special service authority for station KWBU to operate on **1030 kc.** with 50 KW power from local sunrise at Boston, Mass., to local sunset at Corpus Christi, for a period of 6 months (Cmr. Durr voting for hearing). (B3-SSA-138)

KSUN—Copper Electric Co., Inc. (Assignor) Carleton W. Morris (Assignee), Lowell, Ariz.—Granted consent to voluntary assignment of license of station KSUN from Copper Electric Co., Inc., to Carleton W. Norris, which will convert the licensee from a corporation to an individual. (B5-AL-502)

Central Broadcasting Co., Inc., Johnstown, Pa.—Granted authority to use call letters WARD for new station granted on Nov. 5, 1945.

Mrs. Lois M. Daniels, Brawley, Calif.—Granted construction permit for a new station to operate on **1490 kc.**, 250 watts, unlimited time. (B5-P-4220.)

Broadcasting Corp. of America, Brawley, Calif.—Granted construction permit for a new station to operate on **1300 kc.**, 1 KW, day, 500 watts night, unlimited time. (B5-P-3568.)

Arkansas Airwaves Co., No. Little Rock, Ark.—Granted construction permit for a new station to operate on **1450 kc.**, 250 watts, unlimited time. (B3-P-4067.)

Howard R. Imboden, tr/as Southwest Broadcasting Co., Pulaski, Va.—Granted construction permit for a new station to operate on **1230 kc.**, with 250 watts power, unlimited time. (B2-P-3346.)

Dairyland's Broadcasting Service, Inc., Marshfield, Wis.—Granted construction permit for a new station to operate on **1450 kc.**, 250 watts, unlimited time. (B4-P-3931.)

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Granted construction permit to increase power from 250 watts to 10 KW, install new transmitter and directional antenna for day and night use, and change transmitter location. (B5-P-3933.)

WGYN—Charles E. Merrill and Muzak Corp. (Transferor), Charles E. Merrill, et al (Transferee) Muzak Radio Broadcasting Station, Inc. (Licensee), New York, N. Y.—Granted consent to transfer of control of Muzak Radio Broadcasting Station, Inc., licensee of WGYN from Muzak Corp. and Charles E. Merrill to Radio Sales Corp., Muzak Corp. and Charles E. Merrill. The consideration to be paid by transferee for 333 1/3 shares is the par value thereof, or approximately $333; the book value of which shares as of Dec. 31/44 is shown in the deficit amount of approximately $14,000. (B1-TC-461).

Parkersburg Sentinel Co., Marietta, Ohio—Granted construction permit for a new station to operate on **1340 kc.**, 250 watts, unlimited time. (B2-P-4198).

Aloha Broadcasting Co., Inc., Honolulu, T. H.—Granted authority to use call letters KHON for new station authorized by the Commission on November 21, 1945.

A. V. Tidmore, tr/as Pottsville Broadcasting Co., Pottsville, Pa.—Granted construction permit for a new station to operate on **1120 kc.**, 250 watts power, limited time. A Class II station; site to be determined. (B2-P-3863).

A. V. Tidmore, tr/as Pottsville Broadcasting Co., Pottsville, Pa.—Granted construction permit for a new station to operate on **1330 kc.**, 500 watts, daytime hours. (B2-P-3863).

DESIGNATED FOR HEARING

Kankakee Daily Journal Co., Kankakee, Ill.—Designated for hearing application for a new station to operate on **1320 kc.**, 1 KW, daytime. (B4-P-4013)

James B. Rivers, d/b as Southeastern Broadcasting System, Sanford, Fla.—Designated for hearing to be consolidated with the Deland hearing set for February 19, 1946, application for new station to operate on **1400 kc.**, 250 watts, unlimited time.

Peninsular Broadcasting Corp., Coral Gables, Fla., and Everglades Broadcasting Co., Ft. Lauderdale, Fla., and Paul Brake, Miami. Fla.—Designated for consolidated hearing these three applications each seeking authority to construct a new station to operate on **1450 kc.**, 250 watts, unlimited time.

KTHS—Radio Broadcasting, Inc., Hot Springs, Ark.—Designated for hearing application for construction permit to increase power from 1 KW night, 10 KW-LS to 25 KW night, 50 KW-LS, install new transmitter and directional antenna for night use, and move transmitter and studio to West Memphis, Ark. (B3-P-3814).

Norfolk Broadcasting Corp., Norfolk, Va.—Designated for hearing application for construction permit for a new station to operate on **1220 kc.**, 250 watts, daytime hours; site to be determined. (B2-P-3794).

Dorrance D. Roderick and Pueblo Radio Co., Inc., Pueblo, Colo.—Designated for consolidated hearing the application of Dorrance D. Roderick and Pueblo Radio Co., Inc., both requesting a new station in Pueblo, Colo., to use the frequency **1230 kc.**, 250 watts, unlimited time.

LICENSE RENEWALS

Licenses for the following stations were further extended upon a temporary basis, pending determination upon application for renewal of license, for the period ending no later than March 1, 1946:

KALE, Portland, Ore.; KDYL and auxiliary, Salt Lake City; KFAC, Los Angeles; KFBB, Great Falls, Mont.; KFGQ, Boone, Iowa: KFH, Wichita, Kans.; KFJZ and auxiliary, Fort Worth; KFOX, Long Beach, Calif.: KGB. San Diego; KGBX, Springfield. Mo.: KGCU. Mandan, N. Dak.; KGGM, Albuquerque; KGHF, Pueblo, Colo.; KGLO, Mason City, Iowa; KOIL, Omaha; KGVO, Missoula, Mont.: KHSL, Chico, Calif.; KID. Idaho Falls; KIT, Yakima, Wash.; KMO and auxiliary, Tacoma, Wash.; KOL, Seattle: KOB, Albuquerque; KPMC, Bakersfield. Calif.; KRGV, Weslaco, Texas; KRIS, Corpus Christi; KRLD, Dallas; KRNT. Des Moines; KSCJ, Sioux City; KSCJ, Auxiliary: KSRO, Santa Rosa, Calif.; KUOA, Siloam Springs, Ark.; KTFI, Twin Falls, Idaho: KVOA, Tucson, Ariz.; KVOR, Colorado Springs; KWBR, Oakland, Calif.: KYA, San Francisco; KXYZ and auxiliary, Houston, Texas; WADC. Village of Tallmadge, Ohio; WATR, Waterbury, Conn.; WBAL and auxiliary, Baltimore; WBBR, Brooklyn; WBT, Charlotte. N. C.: WDGY, Minneapolis; WDOD, Chattanooga, Tenn.; WDRC, Hartford, Conn.; WDSU and auxiliary, New Orleans: WEBC and auxiliary, Duluth: WEVD and auxiliary. New York; WFBC, Greenville, S. C.; WFBM and auxiliary. Indianapolis; WFBR and auxiliary, Baltimore: WFIN. Findlay, Ohio. WHAZ, Troy, N. Y.; WHBF and auxiliary. Rock Island, Ill.: WHBL, Sheboygan: WHIO, Dayton, Ohio: WHKY, Hickory, N. C.: WHLD, Niagara Falls, N. Y.: WIBA, Madison, Wisc.; WINS and auxiliary, New York; WISH, Indianapolis; WJAS, Pittsburgh; WJDX.

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Jackson, Miss.; WJHP, Jacksonville, Fla.; WKAT and auxiliary, Miami Beach, Fla.; WKNE, Keene, N. H.; WKST, New Castle, Pa.; WLOL, Minneapolis; WMRO, Aurora, Ill.; WNAC and auxiliary, Boston; WNBF, Binghamton, N. Y.; WNBZ, Saranac Lake, N. Y.; WNEL, San Juan, P. R.; WOL and auxiliary, Washington, D. C.; WOOD and auxiliary, Grand Rapids; WORC, Worcester, Mass.; WORK, York, Pa.; WPDQ, Jacksonville, Fla.; WRR and auxiliary, Dallas; WSAI main and Syn. Amplifier, Cincinnati; WSKB, McComb, Miss; WSMB, New Orleans; WSPR, Springfield, Mass.; WTAQ, Green Bay, Wisc.; WTCN, Minneapolis; WTOC, Savannah, Ga.; WWVA, Wheeling, W. Va.; WXYZ and auxiliary, Detroit.

NOTICE HEARING MAILED BY DOCKET SECTION

NEW—Meadville Tribune Broadcasting Co., Meadville, Pa.—**1490 kc.**, 250 watts, unlimited.

NEW—H. C. Winslow, Meadville, Pa.—**1490 kc.**, 250 watts, unlimited.

NEW—Times Publishing Company, Erie, Pa.—**1490 kc.**, 250 watts, unlimited.

NEW—The Kentucky Broadcasting Company, Lexington, Ky.—**1300 kc.**, 1 KW night, 1 KW day, unlimited, DA-night.

NEW—P. C. Wilson, Canton, Ohio—**1300 kc.**, 1 KW, daytime.

NEW—Scripps-Howard Radio, Inc., Cleveland, Ohio—**1300 kc.**, 5 KW, unlimited, DA-night and day.

NEW—Cleveland Broadcasting, Inc., Cleveland, Ohio—**1300 kc.**, 5 KW, unlimited, DA-night and day.

NEW—Walter A. Graham, Tipton, Ga.—**1300 kc.**, 250 watts, unlimited.

WSAV—WSAV, Incorporated, Savannah, Ga.—**630 kc.**, 5 KW night, 5 KW day, DA-night, unlimited time.

WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—**630 kc.**, 5 KW night, 5 KW day, DA-night.

WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—**550 kc.**, 500 watts night, 1 KW day, DA-night and day, unlimited time.

NEW—The Constitution Publishing Co., Atlanta, Ga.—**550 kc.**, 1 KW night, 5 KW day, DA-night, unlimited time.

NEW—New Mexico Publishing Company, Santa Fe, N. Mex.—**550 kc.**, 1 KW, unlimited, DA-night and day.

WSVA—Shenandoah Valley Broadcasting Corporation, Harrisonburg, Va.—**550 kc.**, 1 KW night, 1 KW day, unlimited time, DA-night.

NEW—Booth Radio Stations, Inc., Saginaw, Mich.—**550 kc.**, 1 KW, unlimited, DA-night and day.

NEW—Federated Publications, Inc., Lansing, Mich.—**550 kc.**, 1 KW, unlimited, DA-night and day.

WJIM—WJIM, Incorporated, Lansing, Mich.—**550 kc.**, 1 KW, unlimited, DA-night and day.

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Montana Broadcasting and Television Company, Anaconda, Mont.—**550 kc.**, 1000 watts, unlimited.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—**550 kc.**, 5 KW, unlimited, DA-night.

NEW—Caprock Broadcasting Company, Lubbock, Texas—**550 kc.**, 500 watts, unlimited, DA-day and night.

NEW—Valdosta Broadcasting Company, Valdosta, Ga.—**950 kc.**, 1 KW night, 5 KW day, unlimited, DA-night.

WLOF—Hazelwood, Inc., Orlando, Fla.—**950 kc.**, 5 KW, unlimited DA-night.

NEW—Crescent Broadcast Corp., Shenandoah, Pa.—**580 kc.**, 1 KW, daytime.

NEW—The Patriot Company, Shenandoah, Pa.—**580 kc.**, 5 KW, unlimited DA-night.

NEW—Permian Basin Broadcasting Company, Odessa, Texas—**1450 kc.**, 250 watts, unlimited.

NEW—Wendell Mayes, C. C. Woodson and J. S. McBeath, d/b as Odessa Broadcasting Company, Odessa, Texas—**1450 kc.**, 250 watts, unlimited.

NEW—Ben Nedow, d/b as Ector County Broadcasting Company, Odessa, Texas—**1450 kc.**, 250 watts, unlimited.

NEW—Dorrance D. Roderick, Odessa, Texas—**1450 kc.**, 250 watts, unlimited.

NEW—George A. Ralston and Jerry C. Miller, d/b as The Elgin Broadcasting Company, Elgin, Illinois—**1490 kc.**, 250 watts, unlimited.

NEW—William L. Klein, Oak Park, Ill.—**1490 kc.**, 250 watts, unlimited.

NEW—Sidney H. Bliss, tr/as Beloit Broadcasting Company, Beloit, Wisc.—**1490 kc.**, 100 watts, unlimited.

NEW—Broadcasting Corporation of America, Indio, Calif.—**1400 kc.**, 250 watts, unlimited.

NEW—Richard T. Sampson, Banning, Calif.—**1400 kc.**, 100 watts, unlimited.

NEW—Beaver County Broadcasting Corp., Beaver Falls, Pa.—**1360 kc.**, 5 KW, unlimited DA-night and day.

NEW—McKeesport Radio Company, McKeesport, Pa.—**1360 kc.**, 1 KW, daytime.

NEW—Booth Radio Stations, Inc., Lansing, Mich.—**1360 kc.**, 1 KW, unlimited DA-night and day.

MISCELLANEOUS

Sunland Broadcasting Co., El Paso, Tex.—Adopted order granting petition requesting that its application for a new station be consolidated for hearing with two conflicting applications namely: El Paso Broadcasting Co., and Seaman and Collins, both seeking the use of **1340 kc.**, 250 watts, unlimited time, and ordered that the application of Sunland Broadcasting Co. for the same facilities be designated for hearing in a consolidated proceeding with El Paso Broadcasting Co. and Seaman & Collins applications.

Fred O. Grimwood, Bloomington, Ind.—Adopted order denying petition for reconsideration and grant without hearing of application for new station now scheduled to be heard on Dec. 17, 1945.

Peoples Broadcasting Co., Lancaster, Pa., and Lester P. Etter and H. Raymond Stadiem, d/b as Lebanon Broadcasting Co., Lebanon, Pa.—Adopted orders designating these two applications for consolidated hearing, both applicants seek the frequency **1270 kc.**, 1 KW, daytime only.

KELD—Radio Enterprises, Inc., El Dorado, Ark.—Placed in the pending files application for consent to transfer control of KELD, Radio Enterprises, Inc., from T. H. Barton to Wilfred N. McKinney (B3-TC-465), pending adoption of rules contemplated by the AVCO decision, or until applicant indicates an election to follow procedure outlined in Public Notice of Oct. 3, 1945.

KXA—American Radio Telephone Co., Seattle, Wash.—Placed in the pending files application for consent to assignment of license of station KXA from American Radio Telephone Co. to KXA, Inc. (B5-AL-500), pending adoption of rules contemplated by the AVCO decision, or until applicant indicates an election to follow procedure outlined in Public Notice of Oct. 3, 1945.

KFQD—Wm. J. Wagner, tr/as Alaska Broadcasting Co. (Assignor), Midnight Sun Broadcasting Co. (Assignee), Anchorage, Alaska.—Placed in the pending files application for consent to voluntary assignment of license of station KFQD from William J. Wagner, tr/as Alaska Broadcasting Co. to Midnight Sun Broadcasting Co. (B-AL-499), pending adoption of rules contemplated by the AVCO decision, or until applicant indicates an election to follow procedure outlined in Public Notice of October 3, 1945.

The Commission granted the petition filed jointly by five Philadelphia stations, WIP-FM; WFIL-FM; WCAU-FM; WPEN-FM and KYW-FM, to cancel waiver of Sec. 3.261, permitting these stations to operate less than the required six hours per day, and to permit these stations to be temporarily inoperative while they convert to the higher frequencies, subject to the condition that petitioners resume service by Jan. 1, 1946.

WTAW—The Agr. and Mech. College of Texas, College Station, Texas—Granted petition for leave to amend application for construction permit, and the amendment filed covering the matters was accepted.

Tennessee Broadcasters, Nashville, Tenn.—Granted petition to accept appearance late in re application for new station and the Commission waived its rules and accepted applicants' written appearance.

(Continued on next page)

Blue Ridge Broadcasting Corp., Roanoke, Va.—Granted petition to amend application for new station and the amendment covering the matters was accepted and application removed from the hearing docket.

Fred O. Grimwood, Bloomington, Ind.—Granted in part motion for continuance of hearing on application for new station, and the hearing now scheduled for December 17, 1945, was continued to March 4, 1946.

A. Frank Katzentine, Orlando, Fla.—Granted motion for leave to amend application for a new station, and the amendment filed with the motion was accepted.

WTOL—Community Broadcasting Co., Toledo, Ohio—Granted petition for leave to intervene in the consolidated proceedings now scheduled to be heard December 19 and for enlargement of the issues therein

WMLL—Evansville on the Air, Inc., Evansville, Ind.—Present license further extended upon a temporary basis only, pending determination upon application for renewal in no event later than March 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

WDEF—WDEF Broadcasting Co., Chattanooga, Tenn.—Granted renewal of license for the period ending August 1, 1947.

WSLB—St. Lawrence Broadcasting Corp., Ogdensburg, N. Y.—Granted renewal of license for the period ending August 1, 1947.

WDAS—WDAS Broadcasting Station, Inc., Philadelphia, Pa.—Granted renewal of license for main and auxiliary transmitter for the period ending August 1, 1947.

DECISION AND ORDER

The Commission has announced adoption of a Decision and Order (B-222), dismissing the application of Marietta Broadcasting Company (Virgil V. Evans, Owner), for a new station at Marietta, Georgia, to operate on the frequency **1230 kc.** with 250 watts power, and granted the application of Fred B. Wilson and Channing Cope, d/b as Chattahoochee Broadcasters, for a new station at Marietta, Ga., for the same facilities, provided however, that before construction of the proposed station is commenced the said applicant shall specify a transmitter site which meets the approval of this Commission and of the Civil Aeronautics Administration.

The Commission announced adoption of a Decision, making final, with certain changes, its proposed findings denying, without prejudice to further proceedings along lines indicated, the applications of Buffalo Broadcasting Corporation for renewal of licenses of Stations WKBW and WGR, Buffalo, New York.

In order to make such further proceedings possible, the Commission will grant the applicant temporary licenses for both stations WKBW and WGR for a period of three months, provided that within 30 days the applicant files with the Commission a statement which establishes that it has full control over the operation of the stations and no further effect is being given the agreements with the Churchill Tabernacle which were part of the issues in the proceeding. (B-217)

The Commission announced adoption of a Decision and Order (Commissioner Clifford J. Durr dissenting) granting the application for consent to the voluntary assignment of license of station WSRR, Stamford, Connecticut, from Stephen Rich Rintoul to the Western Connecticut Broadcasting Company. (B-230)

HEARINGS

A public hearing to obtain information concerning three inter-related applications for new standard broadcast stations in Charleston, West Virginia, will be held in Charleston by the Federal Communications Commission beginning January 3, 1946, to be presided over by Commissioner Chas. R. Denny.

The applicants, all seeking a new station to operate on **1240 kc.,** 250 watts, unlimited time, are:

James H. McKee; Capitol Broadcasting Corp., and Chemical City Broadcasting Co.

Persons desiring to present pertinent information at the hearing which will assist the Commission in considering the applications and reaching its decisions on the basis of public interest, should write to the Commission in Washington requesting to be heard.

A public hearing to obtain information concerning three inter-related applications for new standard broadcast stations in Glens Falls, New York, will be held by the Federal Communications Commission beginning January 3, 1946. The hearing will be presided over by FCC Commissioner William H. Wills, former Governor of Vermont, who was appointed a member of the Commission last July.

The applicants, all seeking a new station in Glens Falls to operate on **1450 kc.,** 250 watts, unlimited time, are:

Glens Falls Broadcasting Corp.; Great Northern Radio, Inc., and Glens Falls Publicity Corp.

A public hearing to obtain information concerning five inter-related applications for new standard radio broadcast stations and changes in facilities of existing stations in Central California will be held in Fresno by the Federal Communications Commission beginning January 2, 1946.

The applicants and the frequency and power assignments they request are:

FM Radio and Television Corporation, San Jose (New), **1370 kc.,** 500 watts night, 1 KW to local sunset, unlimited time.

Broadcasters, Inc., San Jose (New), **1370 kc.,** 1 KW, unlimited time.

United Broadcasting Co., San Jose (New), **1380 kc.,** 250 watts, unlimited time.

DeHaven, Hall and Oates, Salinas (New), **1380 kc.,** 1 KW, unlimited time.

Central California Broadcasters, Inc., Berkeley (Station KRE), to change frequency from **1400** to **1380 kc.,** and increase power from 250 watts to 1 KW, unlimited time.

The hearing will be presided over by FCC Commissioner Ray C. Wakefield.

A public hearing to inquire into the qualifications of the applicants for the nine remaining FM (Frequency Modulation) broadcasting channels available in the Boston area will be held by the Federal Communications Commission in that city beginning March 11, 1946.

Ten applicants have already filed for the nine channels. Other persons desiring to have their applications considered at this hearing must have their applications on file with the Commission by February 9, 1946.

At the hearing, the Commission will hear the testimony of each applicant on his qualifications to operate a station in one of the nine channels in the public interest.

Any other person who wishes to offer pertinent testimony at the hearing to assist the Commission in making its selections should write to the Commission in Washington, D. C., for permission to be heard.

The Commission, in its allocation report of October 26, 1945, indicated that a possible maximum of ten metropolitan channels might be available in the vicinity of Boston. One of these has already been assigned to the existing FM station owned by the Westinghouse Company.

The ten applicants who have already filed with the Commission are: Columbia Broadcasting System, Fidelity Broadcasting Corporation, Matheson Radio Company, Northern Corporation, The Yankee Network, Unity Broadcasting Corporation of Massachusetts, Templeton Radio Manufacturing Corporation, Massachusetts Broadcasting Company, all applying for channels in Boston; Harvey Radio Laboratories, Inc., applying for a channel in Cambridge, Mass.; and Raytheon Manufacturing Company, applying for a channel in Waltham, Mass.

FCC Commissioner Clifford J. Durr will preside at the Boston hearing.

Because of the wartime restrictions on new construction, the Commission has a backlog of more than 700 applications for FM stations. Hearings are being held in many sections of the country so that assignments may be made and construction started as soon as possible.

The Commission is desirous of making this public hearing of maximum usefulness in its task of assigning these valuable channels.

It desires the fullest possible competition for the channels and seeks the fullest information concerning the qualifications of the applicants.

The Commission wishes to give every encouragement to veterans and other newcomers who wish to enter the broadcasting field.

(Continued on next page)

designated upon the applications of Voice of Marion and Chronicle Pub. Co., Inc., of Marion, Ind.

KHQ-KGA—Louis Wasmer, Inc., Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses now scheduled for Dec. 21, 1945, and continued same to Feb. 19, 1946.

The Voice of Marion, Marion, Ind.—Granted petition to dismiss without prejudice application for a new station.

Press Wireless, Inc.—Ordered that the hearing now scheduled for December 17, 1945, be postponed to Feb. 1, 1946, in re increased charges for deferred press telegraph communications between New York and France and Germany, and ordered Press Wireless, Inc., and Western Union be granted special permission to file appropriate supplements to their tariffs involved herein extending effective date of the suspended tariffs for a period of not less than 45 days beyond the dates now shown in the suspension supplements to said tariffs presently on file with the Commission.

Central Broadcasting Co., Inc., Johnstown, Pa.—Granted request for extension of time within which to file its opposition to the petition of WWSW, Inc., for hearing or rehearing and leave to intervene in the matter of Central Broadcasting Co., Inc., application for a new station, and extended the time within which Central Broadcasting Co., Inc., may file its opposition to the petition of WWSW, Inc., to and including Dec. 17, 1945.

Greater Huntington Radio Corp., Huntington, W. Va.—Granted motion for leave to amend application for new station except as to specification for antenna site. The request with respect to antenna site was dismissed at request of applicant.

W9XMT—P. R. Mallory & Co., Inc., Indianapolis, Ind.—Granted modification of construction permit authorizing new experimental television station, for extension of completion date to 3-15-46.

W10XD—Philco Radio and Television Corp., Portable, Area of Washington, D. C., Philadelphia and New York—Granted license to cover construction permit for new experimental television relay broadcast station, upon an experimental basis only, and upon the express condition that it is subject to change or cancellation by the Commission at any time, without advance notice or hearing, if, in its discretion, the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of the station upon the frequencies authorized is or will be in the public interest beyond the express terms hereof; power 50 KW (peak); frequency that may be assigned by the Commission's Chief Engineer from time to time.

W10XAE—Philco Radio and Television Corp., Portable, Area of Washington, D. C., Philadelphia and New York—Granted license to cover construction permit for new experimental television relay broadcast station, upon an experimental basis only, and upon the express condition that it is subject to change or cancellation by the Commission at any time, without advance notice or hearing, if, in its discretion, the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of the station upon the frequencies authorized is or will be in the public interest beyond the express terms hereof; power 50 KW (peak); frequency that may be assigned by the Commission's Chief Engineer from time to time.

W10XAF—Philco Radio and Television Corp., Portable, Area of Washington, D. C., Philadelphia and New York—Granted license to cover construction permit for new experimental television relay broadcast station, upon an experimental basis only, and upon the express condition that it is subject to change or cancellation by the Commission at any time, without advance notice or hearing, if, in its discretion, the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of the station upon the frequencies authorized is or will be in the public interest beyond the express terms hereof; power 50 KW (peak); frequency that may be assigned by the Commission's Chief Engineer from time to time.

WGST—Georgia School of Technology, Atlanta, Ga.—Ordered that the temporary extension of license for the operation of station WGST be further extended from December 18, 1945 for the period ending no later than Feb. 18, 1946.

WOW—Radio Station WOW, Inc., Omaha, Neb.—The Commission on its own motion ordered that, pursuant to the provisions of Sec. 1.362 of the Commission's Rules and Regulations, Radio Station WOW, Inc., file within 30 days from this date an application for renewal of its present license for the operation of station WOW.

Evan Evans, James F. Koch, P. J. McCall, Lou Poller and James J. Curran, d/b as Pottsville Radio Co., Pottsville, Pa.—Adopted order granting petition of WGAL, Inc., Lancaster, Pa., requesting that application of Pottsville Radio Co. be designated for hearing, and ordered that this application be designated for hearing in a consolidated proceeding with the application of Miners Broadcasting Service for a new station and the modification of license of station WAZL, Hazleton, Pa.

John W. Grenoble, Jos. L. Maguire, John T. Maguire and Kenneth F. Maguire, d/b as Miners Broadcasting Service, Pottsville, Pa.—Adopted an order designating for hearing in a consolidated proceeding with the Pottsville Radio Co. application for a new station and the application of WAZL for modification of license, the application of Miners Broadcasting Service for a new station in Pottsville, Pa.

WAZL—Hazleton Broadcasting Service, Inc., Hazleton, Pa.—Adopted an Order to Show Cause ordering that an opportunity be afforded the Hazleton Broadcasting Service, Inc. (WAZL), to show cause at a hearing why the license for WAZL should not be modified so as to specify the use by it of the frequency **1490 kc.** in lieu of **1450 kc.**, and further ordered that the hearing in this matter be consolidated with the hearing on applications of Pottsville Radio Co. and Miners Broadcasting Service.

WLAK—S. O. Ward tr/as Radio Station WLAK, Lakeland, Fla.—Adopted an order granting petition to designate its application for a construction permit to change frequency and power from **1340 kc.**, 250 watts to **1430 kc.**, 1 KW, unlimited time, in consolidated proceedings, and ordered said application designated for hearing in consolidation with applications heretofore set for hearing of Chattahoochee Broadcasting Co.; Muscogee Broadcasting Co.; Columbus Broadcasting Co.; Thomaston Broadcasting Co.; A. Frank Katzentine; Palm Beach Broadcasting Corp., and City of Sebring, Fla., and further ordered that the Bills of Particular issued in these proceedings be amended to include WLAK as a party in these proceedings.

APPLICATIONS FILED AT FCC

610 Kilocycles

WSGN—The Birmingham News Co., Birmingham, Ala.—Voluntary transfer of control of licensee corporation from Ruth Lawson Hanson, Executrix, and C. B. Hanson, Jr., and Henry P. Johnston, Executors Under the Will of Victor H. Hanson, Deceased, to Ruth Lawson Hanson, Henry P. Johnston, Clarence B. Hanson, Jr., James E. Chappell and Harry B. Bradley, Trustees Under the Will of Victor H. Hanson, Deceased.

680 Kilocycles

NEW—Monroe Broadcasting Co., Inc., Rochester, N. Y. (P. O. 191 East Avenue)—Construction permit for a new standard broadcast station to be operated on **680 kc.**, power of 250 watts and daytime hours of operation.

710 Kilocycles

NEW—Giddens & Rester, a partnership composed of Kenneth R. Giddens and T. J. Rester, Mobile, Ala. (P. O. Downtown Theatre Bldg., 205 Government St.)—(Call "WKRG" Reserved)—Construction permit for a new standard broadcast station to be operated on

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710 kc., power of 1 KW and daytime hours of operation.

920 Kilocycles

WGST—Georgia School of Technology, Atlanta, Ga.—Authority to determine operating power by direct measurement of antenna power.

WGST—Georgia School of Technology, Atlanta, Ga.—License to cover construction permit (B3-P-4288) for auxiliary facilities of WGST—filed in the name of Regents of the University System of Georgia, for and on behalf of Georgia School of Technology.

WGST—Georgia School of Technology, Atlanta, Ga.—Construction permit for auxiliary facilities presently assigned to WGST—filed in the name of Regents of the University System of Georgia, for and on behalf of Georgia School of Technology.

KVEC—Christina M. Jacobson, tr/as The Valley Electric Co., San Luis Obispo, Calif.—Construction permit to change frequency from **1230** to **920 kc.**, increase power from 250 watts to 500 watts, 1 KW local sunset, and install new transmitter and vertical radiator.

WGST—Georgia School of Technology, Atlanta, Ga.—Construction permit for facilities presently assigned to WGST—filed in the name of Regents of the University System of Georgia, for and on behalf of Georgia School of Technology.

WGST—Georgia School of Technology, Atlanta, Ga.—License to cover construction permit (B3-P-4287) for facilities presently assigned to WGST—filed in the name of Regents of the University System of Georgia, for and on behalf of Georgia School of Technology.

930 Kilocycles

NEW—Booth Radio Stations, Inc., Kalamazoo, Mich. (P. O. 3100 Eaton Tower, Detroit 26, Mich.)—Construction permit for a new standard broadcast station to be operated on **930 kc.**, power of 1 KW, directional antenna and unlimited hours of operation.

960 Kilocycles

KFVS—Oscar C. Hirsch, tr/as Hirsch Battery & Radio Co., Cape Girardeau, Mo.—Construction permit to change frequency from **1400** to **960 kc.**, increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use, and change transmitter location.

970 Kilocycles

KOIN—KOIN, Inc., Portland, Ore.—Voluntary transfer of control of licensee corporation from C. W. Myers, Josephine Hunt, Gertrude E. Myers and KOIN, Inc., Trustee, to Field Enterprises, Inc.

990 Kilocycles

WCAZ—Superior Broadcasting Service, Inc., Carthage, Ill. —Construction permit to change frequency from **1080** to **990 kc.**, increase power from 250 watts to 1 KW, install new transmitter and vertical antenna, and change studio and transmitter location from Carthage, Ill., to 1½ miles west of Carthage, Ill.

1060 Kilocycles

WNOE—James A. Noe, New Orleans, La.—Construction permit to change frequency from **1450 kc.** to **1060 kc.**, increase power from 250 watts to 50 KW, install new transmitter and directional antenna for day and night use, move transmitter from New Orleans, La., to approximately 2 miles N.E. of Ama, La. Amended to change name of applicant from WNOE, Inc., to James A. Noe.

1080 Kilocycles

NEW—Lake Superior Broadcasting Co., Duluth, Minn. (P. O. 700 Torrey Bldg.)—Construction permit for a new standard broadcast station to be operated on **1080 kc.**, power of 10 KW, directional antenna and unlimited hours of operation.

1140 Kilocycles

NEW—The Lorain Journal Co., Lorain, Ohio (P. O. 205 Seventh St.)—Construction permit for a new standard broadcast station to be operated on **1140 kc.**, power of 250 watts and daytime hours of operation.

1230 Kilocycles

NEW—Leslie Henry Hacker, Paso Robles, Calif. (P. O. 472 N. Broad St., San Luis Obispo, Calif.)—Construction permit for a new standard broadcast station to be operated on **1230 kc.**, power of 250 watts and unlimited hours of operation. (Contingent on grant of B5-P-4279 for KVEC.)

1240 Kilocycles

NEW—Capitol Broadcasting Corp., Charleston, W. Va.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation. Amended re stockholders.

1340 Kilocycles

NEW—Community Broadcasting Company, a Partnership, composed of Richard M. Arnold, Jack O. K. Barfield, James M. Earnest, Albin F. Knight and J. Alfred Miller, Asheville, N. C. (P. O. Temp. 36 N. Griffing Blvd.) —Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Robert W. Rounsaville, Cleveland, Tenn.—Authority to determine operating power by direct measurement of antenna power.

WDAK—L. J. Duncan, Leila A. Duncan, Josephine Rawls, Effie H. Allen, Allen M. Woodall and Margaret A. Pill, d/b as Valley Broadcasting Co., Columbus, Ga.—Voluntary assignment of license to Radio Columbus, Inc.

1370 Kilocycles

WFEA—H. M. Bitner, Manchester, N. H.—Voluntary assignment of license to WFEA, Inc.

1400 Kilocycles

NEW—Green Bay Broadcasting Co., Green Bay, Wis. (P. O. 220 N. Jefferson St.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation.

KTOK—O. L. Taylor, Oklahoma City, Okla.—Voluntary assignment of license to KTOK, Inc.

1420 Kilocycles

NEW—United Broadcasting Co., Cleveland, Ohio—Authority to determine operating power by direct measurement of antenna power.

1450 Kilocycles

NEW—West Alabama Broadcasting Co., a partnership composed of Frank W. Bruce and John E. Reynolds, Sr., Tuscaloosa, Ala. (P. O. % John E. Reynolds, Sr., P. O. Box 225, Northport, Ala.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: to change partnership name to West Alabama Broadcasting Co., a partnership composed of Frank W. Bruce and John E. Reynolds, Sr., change type of transmitter and specify transmitter location.

NEW—James Robert Meachem, Elmira, N. Y. (P. O. 5805 16th St., North Arlington, Va.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Paul Brake, Miami, Fla. (P. O. 3820 Wood Ave., Coconut Grove)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. (Call "WWBP" reserved.)

1490 Kilocycles

WRLD—L. J. Duncan, Leila A. Duncan, Josephine Rawls, Effie H. Allen, Allen M. Woodall and Margaret A.

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Pill, d/b as Valley Broadcasting Co., West Point, Ga.—Voluntary assignment of license to L. J. Duncan, Leila A. Duncan and Josephine Rawls, d/b as Valley Broadcasting Co.

1510 Kilocycles

NEW—Mansfield Journal Co., Mansfield, Ohio (P. O. 24 West 4th St.)—Construction permit for a new standard broadcast station to be operated on **1510 kc.**, power of 250 watts and daytime hours of operation.

1580 Kilocycles

NEW—Mon-Yough Broadcasting Company, McKeesport, Pa. (P. O. 507 Locust St.)—Construction permit for a new standard broadcast station to be operated on **1580 kc.**, power of 500 watts, 1 KW, local sunset and unlimited hours of operation.

1590 Kilocycles

WBRY—American Republican, Inc., Waterbury, Conn.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and make changes in directional antenna for day and night use.

FM APPLICATIONS

NEW—John F. Easley, Ardmore, Okla. (P. O. Hotel Ardmore)—Construction permit for a new FM broadcast station to be operated on **92.1** to **103.9 mc.** band and coverage of **11,840** square miles.

NEW—Sooner Broadcasting Company, Oklahoma City, Okla. (P. O. 2712 First National Building)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage not specified.

NEW—Oklahoma Agricultural & Mechanical College, Stillwater, Okla.—Construction permit for a new non-commercial educational broadcast station to be operated on frequency, power and emission not specified. Amended to specify frequency as Channel #220, **91.9 mc.**, emission as special for FM and power of 10 KW.

NEW—Times Publishing Company of Wichita Falls, Wichita Falls, Texas—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **46.5 mc.** and coverage of 12,800 square miles. Amended to change name from Rhea Howart to Times Publishing Company of Wichita Falls, frequency from **46.5 mc.** to Channel #70, **101.9 mc.** and specify studio location.

NEW—The Toledo Blade Co., Toledo, Ohio—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage of 7,780 square miles. Amended: to change transmitter site.

NEW—North Jersey Radio, Inc., Newark, N. J.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on **43.5 mc.** and coverage of 19,851 square miles. Amended: to change frequency from **43.5 mc.** to **98 mc.**, coverage from 19,851 to 8,150 square miles, transmitter site from near Morris Plains, N. J., to W. Orange, N. J., change type of transmitter and population and change name of applicant from The Evening News Publishing Co. to North Jersey Radio, Inc.

W6XLA—Television Productions, Inc., Area of Los Angeles, Calif.—Construction permit to change frequency from Channels 11 and 12, **204-216 mc.** to **480-508 mc.**, add aural transmitter with special emission for FM with 50 watts power and change type of visual transmitter.

NEW—Syracuse Broadcasting Corporation, Syracuse, N. Y. (P. O. 306 South Salina St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned in **100mc.** band and coverage of 14,375 square miles.

NEW—S. H. Patterson, San Francisco, Calif. (P. O. 1355 Market St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be assigned by FCC chief engineer.

NEW—Unity Broadcasting Corporation of Pennsylvania, Philadelphia, Pa. (P. O. 128 N. 10th St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be assigned by chief engineer of FCC.

TELEVISION APPLICATIONS

NEW—Unity Corporation, Inc., Erie, Pa. (P. O. 1014 Edison Bldg., Toledo, Ohio)—Construction permit for a new commercial television broadcast station to be operated on Channel #2, **54-60 mc.** with ESR of 1250.

NEW—Allen B. DuMont Laboratories, Inc., Cleveland, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #2, **54-60 mc.** with ESR of 7084.

NEW—Hearst Publications, Inc. (San Francisco Examiner Dept.), San Francisco County, Calif. (P. O. Hearst Bldg., 3rd & Market Sts., San Francisco, Calif)— Construction permit for a new commercial television broadcast station to be operated on Channel #4, **66-72 mc.** with ESR of **1472.85.**

MISCELLANEOUS APPLICATIONS

WJOT—Birmingham News Co., Area of Birmingham, Ala.—Voluntary transfer of control of licensee corporation from Ruth Lawson Hanson, Executrix, and C. B. Hanson, Jr., and Henry P. Johnston, Executors Under the Will of Victor H. Hanson, Deceased, to Ruth Lawson Hanson, Henry P. Johnston, Clarence B. Hanson, Jr., James E. Chappell and Harry B. Bradley, Trustees Under the Will of Victor H. Hanson, Deceased.

WSBT—The South Bend Tribune, South Bend, Ind.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and make changes in directional antenna for day and night use.

WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Construction permit to change frequency from **44.7** to **101.1 mc.**, install new transmitter and antenna and specify coverage as 6,589 square miles.

WBAM—Bamberger Broadcasting Service, Inc., New York, N. Y.—Construction permit to change frequency from **47.1 mc.** to Channel #43, **96.5 mc.**, make changes in transmitting equipment and install new antenna and specify coverage as 9,860 square miles and request Metropolitan station.

WJAX—City of Jacksonville, Jacksonville, Fla.—Construction permit to increase power from 5 KW day and 1 KW night to 5 KW day and night and install directional antenna for night use.

KROW—KROW, Inc., Oakland, Calif.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and directional antenna for night use, and change transmitter location from Oakland, Calif., to San Francisco, Calif.

KABC—The Alamo Broadcasting Co., Inc., San Antonio, Texas—Modification of construction permit (B3-P-3599, as modified which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use and change in transmitter location) for extension of completion date from 1-9-46 to 4-9-46.

W6XYZ—Television Productions, Inc., Los Angeles, Calif.—Construction permit to change transmitter site from Los Angeles, Calif., to Pasadena, Calif.

WJXN—P. K. Ewing, Jr., and F. C. Ewing, a partnership, d/b as Ewing Broadcasting Company, Jackson, Miss.—Construction permit to make changes in vertical antenna and ground system.

Federal Trade Commission Docket

No complaints, cease and desist orders, or stipulations were issued this week by the Commission.

NAB Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W. WASHINGTON 6, D. C. Vol. 13, No. 52, December 31, 1945

Music

WIDESPREAD REACTION TO PETRILLO FOREIGN MUSIC BAN

Press-radio reaction to Petrillo's ban on the broadcasting of musical programs emanating from foreign countries is widespread. Following are editorials from the New York *Times,* Washington *Star* and Washington *Post:*

PETRILLO "BACK TO NORMAL"

(New York *Times,* Dec. 26, 1945)

"Now that the war is over," writes James C. Petrillo to the broadcasting companies, "we believe that we should get back to normal as rapidly as possible. Therefore, will you kindly discontinue the broadcasting of any musical programs emanating from foreign countries effective Dec. 31, 1945."

Thus once more Mr. Petrillo decides what music the American people can and cannot hear. And his unchecked successes justify him in assuming that this is the "normal" situation. He doesn't give a hoot for the hopes of United Nations leaders for a greater exchange of cultural programs among the nations. All he cares for is more jobs for the members of his particular union, and, with his mercantilist mind, he imagines that this program will create them. In further accordance with this aim, he now insists that all radio stations now employing musicians must engage regular staffs of instrumentalists regardless of whether or not they need them.

In regard to his ban on foreign musical programs, Mr. Petrillo observes that the Federal Government imposes quotas on immigration. He insists that his union is merely following the same course, although it has to do it in a different manner because of the inherent power of radio to "affect American employment from a distance."

It is nothing new for Mr. Petrillo to assume the powers of Government. He already established the private power of taxation when he successfully imposed an excise tax on every musical record made, to be paid directly into his union's treasury. The United Automobile Workers merely follow admiringly in his footsteps when they insist on examining the books of each corporation so that they can levy a progressive income tax (in the form of a higher wage bill) on each employer in accordance with his individual "ability to pay."

Mr. Petrillo's irresponsible private dictatorship, we may assume, is perfectly satisfactory to Congress, to the Administration and to the Supreme Court. Not only have they done nothing to curb his power, but among them they have in fact conferred these powers upon him. Mr. Petrillo has the power to ruin any radio station by boycotting it. He can order his musicians not to work for it. He derives a large part of this power from the Wagner Act, which forces the broadcasting networks to negotiate with him and him alone no matter how fantastic his demands or how anti-social his course.

COMMENT WANTED

Station comment is requested on the proposed FCC rule governing "assignment and transfer of control" of radio stations. The proposed rule, Section 1.383, appears in *NAB Reports* of December 24, 1945, page 634. NAB is preparing to file a brief in this matter and requests your response immediately.

The mere fact that he contemptuously ignored orders of the War Labor Board and defied decisions of the National Labor Relations Board (with regard to jurisdiction over "platter-turners," for example) does not count against him. There is nothing in the Wagner Act which says that any labor leader has to come before the NLRB with clean hands. He can still use the board to force the broadcasting companies to "bargain collectively" with him, and if they do not meet him more than half way, no matter how extravagant his demands, he can accuse them of "not bargaining in good faith."

Again, Mr. Petrillo has the power to force any musician into his union—again by the threat of boycotting both him and his employer—and thereby prevent him from making a living unless he joins and knuckles under to Mr. Petrillo's authority. Finally, Mr. Petrillo is immune in his capacity as a labor leader from the anti-trust and anti-conspiracy acts, from the Federal Anti-Racketeering Act, and from other laws which less privileged citizens must obey.

Will Mr. Petrillo's latest ukase at last sting Congress and the Administration into re-examining its labor legislation and its labor policy?

MR. PETRILLO AGAIN

(Washington *Evening Star,* Dec. 27, 1945)

It is something less than original to say that James Caesar Petrillo marks himself as a dictator in undertaking to forbid American radio stations to broadcast musical programs originating in any foreign country except Canada, the latter being exempt from the edict because musicians there belong to his American Federation of Musicians. It is less than original because Mr. Petrillo on a number of previous occasions has demonstrated his dictatorial capacities, and there is more than a little reason to suspect that he rather enjoys the role. And why not? It is a good thing, if one likes to take the short view, for him to be able to lay down the law to the people of the United States, to tell them what music they may hear and under what conditions they may listen to it. No one seems to object, with the exception of such misguided individuals as Thurman Arnold, who clung to the quaint notion that

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NAB Reports
The NATIONAL ASSOCIATION OF BROADCASTERS
1760 N St., N. W. WASHINGTON 6, D. C. Phone NAtional 2080

Justin Miller, *President*
A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of FM and Government Relations;* John Morgan Davis, *General Counsel;* Willard D. Egolf, *Special Counsel;* Howard S. Frazier, *Director of Engineering;* Dorothy Lewis, *Coordinator of Listener Activity;* Frank E. Pellegrin, *Director of Broadcast Advertising;* Harlan Bruce Starkey, *Chief, News Bureau;* Arthur C. Stringer, *Director of Miscellaneous Activities.*

the antitrust laws might be made to apply to union monopolies under certain conditions, but who was overruled by the Supreme Court. Certainly the courts, Congress and the administration do not object, or, if they do object, are not willing to do anything about it. So why should Mr. Petrillo worry?

In his letter notifying the broadcasters of his latest ban, he pointed out that the union had permitted broadcasts of foreign music during the war as "a necessary wartime measure to promote good will and good relationships with other countries." But now, Mr. Petrillo says, "the war is over and we believe that we should get back to normal as rapidly as possible."

The only inference from this is that Mr. Petrillo is not interested in good will and good relationships with other nations in peacetime if that entails anything which might even remotely resemble nonunion competition from abroad with the American Federation of Musicians. Offhand, it would seem that a man with this outlook ought not to enjoy dictatorial power over his fellow Americans, especially when abuse of that power cuts across the proclaimed international policies of this Government. Perhaps, in this situation, the President and Congress will be moved to deal with Mr. Petrillo and others like him. But the chances are that they will continue to do nothing.

AVE, CAESAR!

(Washington *Post*, Dec. 28)

Just at the moment when the rest of us were invoking peace on earth and good will, Mr. J. Caesar Petrillo sent his Christmas message to the citizens of these United States. It took the form of an edict, insolently dated Christmas Eve., A. D. 1945, that after next week they no longer will be permitted to listen to musical concerts originating abroad. We anticipate that after a little interval of grumbling, this edict will be obeyed as meekly by the broadcasters as all of Mr. Petrillo's previous edicts have been. We likewise anticipate that Congress will do nothing to curb Mr. Petrillo's power to interfere at will with freedom of communications, and nothing to curb the arrogance which permits him to subordinate the tastes and cultural interests of other American citizens to the economic interests of the American Federation of Musicians.

There is nothing, of course, that even Mr. Petrillo can do to prevent the private reception, by those who have radio sets equipped for the purpose, of foreign musical programs broadcast by short wave. What he can do and has done is to prevent the rebroadcasting of such programs by American stations. At present such programs do not amount at most to more than a few hours a week, but Mr. Petrillo evidently anticipates that American musical programs will be substituted for them, and that his own boys might as well have the benefit of the little extra change thus to be picked up.

The next step, doubtless, would be for Mr. Petrillo to prohibit all nonmusical programs, whether they originate in this country or not, on the ground that they deprive American musicians of a livelihood to which they are entitled. There are a large number of such programs, and it is impossible to believe that it will be very long before Mr. Petrillo will discover that they are taking a good deal of bread and butter away from his boys.

Meantime, however, there is no shortage or scarcity of the meat upon which this, our Caesar, doth feed and that has made him grow so great. This being so, we may be grateful that Mr. Petrillo's edict was no harsher than it was. He might, indeed, have forbidden the networks to broadcast any Christmas programs this year, on the

(Continued on next page)

MEETINGS AHEAD

Committees and Board

Board of Directors	**Jan. 3-4, 1946**	**Roosevelt Hotel**	**Hollywood, Calif.**

District Meetings

16th District	**Jan. 7-8, 1946**	**Roosevelt Hotel**	**Hollywood, Calif.**
15th District	**Jan. 10-11, 1946**	**Fairmont Hotel**	**San Francisco, Calif.**
17th District	**Jan. 14-15, 1946**	**Olympic Hotel**	**Seattle, Wash.**
10th District	**Jan. 25-26, 1946**	**Fontenelle Hotel**	**Omaha, Nebr.**
14th District	**Jan. 28-29, 1946**	**Brown Palace**	**Denver, Colo.**
13th District	**Jan. 31-Feb. 1, 1946**	**Baker Hotel**	**Dallas, Texas**
12th District	**Feb. 4-5, 1946**	**Tulsa Hotel**	**Tulsa, Okla.**
6th District	**Feb. 7-8, 1946**	**Peabody Hotel**	**Memphis, Tenn.**
11th District	**March 18-19, 1946**	**Nicollet Hotel**	**Minneapolis, Minn.**
8th District	**March 21-22, 1946**	**Pantlind Hotel**	**Grand Rapids, Mich.**
7th District	**March 28-29, 1946**	**Gibson Hotel**	**Cincinnati, Ohio**

ground that it was an encouragement to a notoriously anti-union Christmas card industry. Now Christmas card pictures, as we all know, go out of their way to favor various sorts of musicians who are not and never have been members of the American Federation of Musicians, such, for example, as angels, little boy singers with mufflers and lanterns, and elderly gentlemen in gaiters with flutes and old-fashioned viols.

FM Department

FM MEETING ASKS LICENSE EXTENSION

NAB's FM Department was directed to file a petition with the Federal Communications Commission, requesting the license period for FM stations to be extended from one year, as at present, to three years. Thus was one of several actions taken at the NAB-FM Executive Committee meeting held in Chicago December 27.

The committee expressed hearty endorsement of the FCC action which resulted in renumbering FM channels, and expressed the hope that manufacturers of new FM receiving sets would number the dials according to these new channel designations.

The FM Department was also instructed to work out a system of setting up a running tabulation of FM set distribution by areas, and to maintain this record as a current index of the number and location of FM receivers.

Attending were Justin Miller, NAB president; C. E. Arney, Jr., secretary-treasurer; Leslie Johnson, WHBF; Walter Damm, WTMJ; Paul Morency, WTIC; Wayne Coy, WINX; Gordon Gray, WSJS; John Shepard, Yankee network, and Robert Bartley, NAB FM Director.

Broadcast Advertising

DISTRICT SALES MEETING AGENDA

Agenda are being completed for the series of district sales managers meetings to begin in January. Booked for discussion are: proposal to achieve greater standardization in rate card format, to eliminate confusion now reported by timebuyers who must scan columns of fine print to obtain various items of information because no regular sequence is followed, and to eliminate much pencil work because multiplicity of discounts are offered on different bases, and often are not worked out, resulting in delay and expense at agency; proposed new NAB-AAAA standard contract form; progress report on the Joske retail radio clinic; proposal to establish an Advertising Agency Recognition Bureau; proposal to establish several sets of standards for audience measurement; suggested radio sales workbook for retail accounts, to enable time salesmen to do a more effective job of selling and servicing retail advertisers, and an outline of the new sales promotion section and various sales aids available to NAB members.

Suggestions for further topics are invited. General theme of the meetings again will be "to make it easier for more advertisers to buy more time on more stations." Suggestions received from the AAAA Timebuyers Committee will be relayed to the industry. Frank E. Pellegrin, NAB Director of Broadcast Advertising, will attend all meetings.

RETAIL BOOKLET AVAILABLE

"How to Start a Small Store" is the title of a booklet issued by the National Retail Dry Goods Association, 101 W. 31st St., New York 1, N. Y. Intended to help returning veterans establish themselves in the retail field, the booklet contains many helpful hints on what to do or avoid.

Radio salesmen seeking more knowledge of retailing, in order to serve retail advertisers more effectively, may find the booklet helpful.

PER-INQUIRY AND FREE TIME

Member stations report effort by Marva Manufacturing Co. of Chicago to obtain P-I deals for cosmetics named for Marva Louis, wife of the boxer, and intended for sale to colored listeners. NAB has written the manufacturer, advising him of the industry's attitude toward such practices and inviting him to use radio advertising at card rates.

Popular Science magazine, through "The G. I. Handicraft Contest Committee" of New York, is attempting to obtain free time for announcements plugging the contest, with prizes donated by *Popular Science.* Comments one NAB member, "I believe radio stations can expect a good deal of this sort of thing from now on and I believe we should be concertedly on our guard. There is no doubt that many such projects are seemingly altruistic; however, usually in paragraph five or six the commercial hook is uncovered."

NEW PROMOTIONAL MATERIAL SCHEDULES

Now in preparation and scheduled for early Spring publication by the NAB as an insert in the loose leaf Manual of Broadcast Advertising is a new chapter on radio advertising devoted to the brewing industry and beer.

The chapter will be a condensation of a series of articles by Marie Ford, Editor of Radio Showmanship, which for the past 18 months have appeared as an exclusive feature in *Modern Brewery Age,* house organ for the brewing industry.

Time and test proven methods of handling such diversified phases of broadcast advertising as dealer-consumer good will, time and station selection, frequency and consistency of broadcast, programming, promotion, and merchandising are discussed with numerous case histories cited to illustrate points.

Also in preparation and scheduled for early publication are additional chapters which deal with the use of radio advertising by bakeries, laundries, and hardware stores.

The NAB Department of Broadcast Advertising will immediately resume the preparation and distribution of the mimeographed success stories entitled, "Radio Gets Results," which were discontinued at the outbreak of the war.

"Radio Gets Results," as the title indicates, is a description of radio advertising campaigns which proved successful for specific sponsors of specific products.

Sales and Promotion Managers of member stations who have records of successful radio campaigns are urged to send them in to the NAB Department of Broadcast Advertising for inclusion in the growing list of radio success stories. The file of stories will be available to members.

Small Market Stations

The agenda for district meetings of the small market stations has been completed. Copies are now in the mails to district chairmen. J. Allen Brown, Assistant Director

(Continued on next page)

of Broadcast Advertising in charge of small market stations, reveals that Order Number 91-C (third class license permit) will be given much attention at the district meetings. A recent survey was made by NAB to determine whether Order Number 91-C, permitting the use of restricted operators during wartime, had been satisfactory, and to learn what job opportunities there might be for returning veterans.

MANAGEMENT STUDY PLANNED

Plans for the NAB "management study" in the small market field will take a top spot on the agenda. Arthur Stringer of the NAB staff will be sent out into the field to get first hand information about station operation in many sections of the nation.

The study will include standards of practice, employee-employer relations, public interest programs, amount of national and local advertising, sales methods, program and engineering practices, station's rate policy and structure, daily routine of the manager and his staff, promotion and publicity, importance of the station to its community and area, etc.

The study when completed will be released to all NAB members in the small market station classification so that each member may profit from the experience of the others.

News programming will be covered in full. The association is now undertaking news clinics in various districts at the request of NAB members.

BMB will be covered by Hugh Feltis, President of Broadcast Measurement Bureau, who will attend all district meetings.

The agenda will also include the commercial use of radio by government agencies.

Ample periods will be set aside for general discussion of all subjects related to small market station operation. The NAB in its expansion program is placing great emphasis on this phase of the industry's operation. Many fine comments are reaching headquarters every week from small stations in every section of the country. The men in these outlets feel that they are indebted to the small market stations committee for the good work they are doing in behalf of this segment of broadcasting.

SALESMEN'S COMPENSATION SURVEY

Salesmen's compensation survey now under way reveals that management generally is thinking in terms of progressive operation. Additional excerpts reveal this trend of thinking:

OHIO STATION: "We pay our salesmen a weekly draw, which is, in effect, a salary, against which commissions earned are credited. Commissions are figured on 15% of collections. Of course, during the past few years the volume has always increased so we have not been in a position to reduce the salesmen's payments. I like our particular system because it gives the salesman a definite amount each week with the knowledge that as his business improves this amount will be increased and yet it does not involve figuring actual commissions for salary payment each week. In addition we have two individuals on the program staff who do a little outside selling. Their commissions are figured on the same basis, but they receive payment at the end of each four-week period for the exact amount."

PENNSYLVANIA: "We have found that our present method of a straight salary plus expenses has been to our advantage as well as to the advertiser's. We have found that no high-pressure selling takes place where an advertiser is promised more than we can offer. The salesman earns his increase on production and length of service. I feel this method also eliminates a lot of bookkeeping and headaches."

TEXAS: "We have one local salesman, who handles the local accounts, with the exception of some accounts which I handle and some house accounts, and telephone calls made on special campaigns, like war bonds, etc. At present time we are paying this man approximately $65 per week. His volume will average about $2000 per month. We try to figure our sales cost at 15%. Previously we had a commercial manager whom we paid 20% of all local business on the station, but when he quit we decided that we would not give an exclusive sales representation to any man. We expect to give our salesman a two weeks' vacation, or extra pay equivalent, if he does not take the actual time off. Also we expect to give him a Christmas bonus. Somewhere around $100 will be what we use this year."

VIRGINIA: "We prefer our present system of compensation which is salary and bonus—bonus, of course, being based on the amount of business done. We at one time had our sales department on a commission basis, and found it very unsatisfactory both from the station's point of view and also that of the sales department. Our sales department salaries range from $150.00 per month minimum to $250.00 per month, which does not include the bonus."

FLORIDA: "I hired both of my salesmen as combination salesmen-announcers. They are paid on the basis of $27.50 plus 15% of their accounts. Since you are going to the trouble to compile this information on compensation of salesmen, why don't you go a step further? Since there are so many new CP's coming out it seems to me there must certainly be quite a few new folks in the business and NAB 'organization plan for small stations' should prove most helpful in building the station organization and determination of compensation and duties of each employee. I think most of us have a lot of lost motion and such a plan should prove most helpful in cleaning our houses. True, it can't work to the letter in every locality. Each operation must be tailor-made but it would be invaluable to the newcomer (and I'd like to see it, too)." (Note: the NAB Small Market Stations Management Study, now in progress, is intended to serve this purpose.)

Engineering

THE 1946 I.R.E. WINTER TECHNICAL MEETING AND RADIO ENGINEERING SHOW

Final plans have now been completed for the Institute of Radio Engineers' 1946 Winter Technical Meeting and Radio Engineering Show to be held January 23-26 at the Hotel Astor, Mr. Edward J. Content, chairman of the committee arranging for the meeting, announced today.

This meeting, according to Mr. Content, is expected to be the most important as well as one of the largest in the annals of the Institute. "The crowded calendar of professional and social events," Mr. Content declared, "gives members of the Institute an unprecedented opportunity to orientate themselves in the postwar pattern of the electronics and radio fields, to gain an understanding of the industry's reconversion program and to catch up on the newest developments and future prospects in the field."

Space in the Radio Engineering show—a display, according to Mr. Henry "Hank" Scarr, Exhibits Chairman, of unprecedented variety and importance, four times the size of any former I.R.E. Radio Engineering Show—has been fully spoken for by more than 120 firms.

The total of 168 exhibits occupying two floors and foyer space in the Hotel Astor, Mr. Scarr declared, will represent a comprehensive cross-section of the industry's newest and most important postwar products and should provide members with much information of value and interest to them in their particular fields.

At the annual I.R.E. Banquet to be held Thursday, January 24, 7:30 to 10:30 p. m., in the Grand Ballroom of

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the Hotel Astor, the principal speaker, it was announced by Mr. C. M. "Buck" Lewis, chairman of the Banquet Committee, will be Dr. Frank B. Jewett, President of the National Academy of Sciences. Mr. Edgar Kobak, President of the Mutual Broadcasting System, will act as toastmaster.

At the President's Luncheon, honoring the Institute's incoming president, Dr. Frederick B. Llewellyn, to be held on Friday, January 25, at 12:30 p. m. in the Grand Ballroom, Mr. Don Miller, chairman of Special Features, announced that Mr. Paul Porter, chairman of the Federal Communications Commission, will be the speaker and Mr. Lewis M. Clement, Vice President in charge of Research and Engineering, the Crosley Corporation, will act as master of ceremonies.

Also at Thursday evening's banquet, Mr. Lewis declared the two annual I.R.E. awards will be made: The Institute Medal of Honor given in recognition of distinguished service in radio communications; and the Morris Liebmann Memorial Prize, made to a member of the Institute who has made public during the recent past an important contribution to radio communications. Fifteen fellowships given by the Institute are also scheduled to be awarded.

Mr. Miller further declared that another enjoyable feature, the annual cocktail party, to be held Friday afternoon from 6:30 to 8:00 p. m. in the Grand Ballroom, promises to provide a pleasant medium for the renewing of old acquaintanceships, and the making of new social and business contacts.

Finally, Dr. A. E. Harrison, chairman of Papers Committee, announced that the backbone of every Technical Meeting, the splendid array of important technical papers on vital electronics and radio subjects, will this year take on added significance with discussion of the many remarkable war developments and newly released information on hitherto restricted items.

The subjects of the technical sessions to Mr. Harrison, give some hint of their importance. They include: Military Applications of Electronics; F.M. and Standard Broadcasting; Circuits and Theory; Television; Radio Navigation Aids; Vacuum Tubes; Microwave Vacuum Tubes; Antennas; Radar; Microwave Technique; Industrial Electronics; Communication Systems and Relay Lines; Radio Propagation; Broadcast Receivers; Quartz Crystals and Crystal Rectifiers.

This year, as has been previously reported, the Institute of Radio Engineers will be host at a joint meeting with the American Institute of Electrical Engineers, scheduled to be held in the Engineering Society's auditorium on Wednesday evening, January 23. To accommodate any overflow attendance such as occurred last year, Dr. Austin Bailey in charge of arrangements for this joint meeting, announced, arrangements have been made to install a public address system and to reserve another large meeting room in the same building. Dr. Bailey further reported that there will be a timely address at this gathering by a speaker prominent in the electrical and electronics field.

The complete program of events for the three-day meeting is as follows:

PROGRAM OF EVENTS

January 23-26, 1946

Hotel Astor

New York

Wednesday, January 23, 1946

9:00 A.M.- 5:30 P.M.	Registration and sale of tickets
9:30 A.M.-12:30 P.M.	Annual Meeting of Sections' Representatives
12:30 P.M.- 2:00 P.M.	Luncheon for Sections' Representatives
2:00 P.M.- 5:00 P.M.	Annual Meeting of Sections' Representatives
4:00 P.M.- 8:00 P.M.	Radio Engineering Show
6:00 P.M.-10:00 P.M.	Joint Meeting of American Institute of Electrical Engineers and Institute of Radio Engineers, Inc.

Thursday, January 24, 1946

8:30 A.M.- 5:30 P.M.	Registration and sale of tickets
9:00 A.M.- 7:00 P.M.	Radio Engineering Show
9:45 A.M.-10:30 A.M.	Annual Meeting of the Institute of Radio Engineers, Inc.
10:30 A.M.-12:30 P.M.	Technical Sessions: Military Application of Electronics; Frequency Modulation and Standard Broadcasting; Circuits and Theory
2:00 P.M.- 5:00 P.M.	Technical Sessions: Television; Radio Navigation Aids; Vacuum Tubes
7:30 P.M.-10:30 P.M.	Annual I.R.E. Banquet; Speaker, Dr. Frank B. Jewett, President of the National Academy of Sciences. Toastmaster, Mr. Edgar Kobak, President of the Mutual Broadcasting System, Inc.

Friday, January 25, 1946

9:00 A.M.- 5:00 P.M.	Registration and sale of tickets
9:00 A.M.-10:00 P.M.	Radio Engineering Show
9:30 A.M.-12:00 Noon	Technical Sessions; Microwave Vacuum Tubes; Antennas
12:30 P.M.	President's Luncheon, honoring Dr. Frederick B. Llewellyn. Speaker, Mr. Paul Porter, Chairman, Federal Communications Commission. Master of Ceremonies, Mr. Lewis M. Clement, Vice President in charge of Research and Engineering, Crosley Corporation.
2:00 P.M.- 5:30 P.M.	Technical Sessions: Radar; Microwave Technique.
6:30 P.M.- 8:30 P.M.	Cocktail Party.

Saturday, January 26, 1946

9:00 A.M.- 3:00 P.M.	Registration
9:00 A.M.- 2:00 P.M.	Radio Engineering Show
9:30 A.M.-12:00 Noon	Technical Sessions: Industrial Electronics; Communication Systems and Relay Lines; Radio Propagation.
2:00 P.M.- 4:00 P.M.	Technical Sessions: Broadcast Receivers; Quartz Crystals; Crystal Rectifiers.

Television

FCC ANNOUNCES ASSIGNMENTS OF TELEVISION LICENSEES

The Federal Communications Commission this week made public a list of assignments for the present Commercial Television licensees and licensees of ten existing experimental television stations.

All of the commercial assignments which were announced are for Metropolitan stations with their existing powers and antenna heights. Changes in the assignments of ten existing experimental television stations were made to prevent interference to commercial stations, to achieve uniformity of licensing where the same equipment is used experimentally and commercially by the same licensee or

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to remove television operation from frequencies assigned to other services.

In regard to the date of the frequency change the Commission announced that the amateur service is using 56 to 60 mc. under Commission Order No. 130 until March 1, 1946. Since 54 to 60 mc. will be assigned to television and part of the 50 to 56 mc. band now assigned to television will be assigned to the amateur service, the frequency change may best be made on March 1, 1946. Since this requires a shift in frequencies for both the amateur service and the television service, the following procedure will be employed:

1. Existing stations that must change frequency will go off the air on or before March 1, 1946, and return to the air with regular programs on or before July 1, 1946, on their new assignments.
2. The amateur service will change from the frequency space between 56 and 60 mc. to the space between 50 and 54 mc. on March 1, 1946.
3. Stations assigned channel No. 2 (54-60 mc.) may not begin operation before the 56 to 60 mc. frequency space is vacated by the amateur service on March 1, 1946.
4. The same procedure outlined in 1, 2 and 3 will be applied to experimental stations except that there will be no date set for return to new assignments.

The complete assignment of frequencies as made by the Commission is set forth in the following table:

Commercial Television Broadcast Stations

Location	*Licensee*	*Call Letters*	*New Assignment Channel No.*
Chicago	Balaban & Katz	WBKB	4 (66–72 mc)
New York	Columbia Broadcasting System, Inc.	WCBW	2 (54–60 mc)
New York	Allen B. DuMont Labs., Inc.	WABD	5 (76–82 mc)
New York	National Broadcasting Co.	WNBT	4 (66–72 mc)
Philadelphia	Philco Radio & Television Corp.	WPTZ	3 (60–66 mc)
Schenectady	General Electric Co.	WRGB	4 (66–72 mc)

Experimental Television Broadcast Stations

Location	*Licensee*	*Call Letters*	*New Assignment Channel No.*
Chicago	Balaban & Katz	W9XBK	4 (66–72 mc)
Cincinnati	Crosley Corp.	W8XCT	4 (66–72 mc)
New York & Passaic, N. J.	Allen B. DuMont Labs. Inc.	W2XVT W2XWV	5 (76–82 mc)
Los Angeles	Don Lee Broadcasting System	W6XAO	2 (54–60 mc)
Springfield Twp. Pa.	Philco Radio & Television Corp.	W3XE	3 (60–66 mc)
Los Angeles	Television Productions, Inc.	W6XYZ	5 (76–82 mc)
Chicago	Zenith Radio Corp.	W9XZV	2 (54–60 mc)
Camden, N. J.	Radio Corp. of America	W3XEP	6 (82–88 mc)
Iowa City, Ia.	State Univ. of Iowa	W9XUI	1 and 13 (44–50 mc) and (210–216 mc)

Programming

AWARDS FOR SPONSORED PROGRAMS

The Second Annual Radio and Business Conference of the New York City College School of Business will give "awards of merit to radio stations, regional and national networks, program producers, advertising agencies, and sponsors on the basis of the use of skill and craftsmanship in the creation during 1945 of effective sponsored radio programs and promotion campaigns designed to accomplish a specific purpose, such as to increase sales or audiences, to develop or maintain good will and prestige, public and trade recognition, etc. Categories for the National Radio Awards will be announced shortly."

The Committee of Judges is as follows:

Reginald Clough, Editor, Tide
E. W. Davidson, Director of Customer Relations, Sales Management
Lou Frankel, Radio Editor, Billboard
Lawrence Hughes, New York Editor, Advertising Age
Eldridge Peterson, Managing Editor, Printers' Ink
Bruce Robertson, New York Editor, Broadcasting
George Rose, Radio Editor, Variety
M. H. Shapiro, Managing Editor, Radio Daily

The Chairman of the Committee is Dr. John Gray Peatman of the City College School of Business.

(Continued on next page)

THE VICTORY CLOTHING COLLECTION

(January 7-31)

Clothing collected will be distributed by UNRRA.

The campaign's Radio Fact Sheet, Radio Kit, and transcription have been forwarded to all stations. The Kit contains 15 & 30-second spot announcements, human interest stories, and appeals written by celebrities.

The transcription contains six 4½-minute capsule dramas with original music, and starring Walter Huston, Katherine Cornell, Bert Lahr, Helen Hayes, Fredric March, and Josephine Hull.

The strategy of the campaign's radio department in developing the local station campaign is expressed in this quote from page one of the Radio Kit:

"Good news. Your local Victory Clothing Collection committee has been urged to discuss in advance their programming needs with you and your station staff . . . to rely on your experience and judgment, and to follow your suggestions."

Network radio, national magazines, and the press are supporting the drive. But most of the available spare clothing, shoes, and bedding is in the American clothes closet, and the medium closest to that source is your station signal.

We are confident that you will give this drive your cooperation, in the name of humanity.

Henry J. Kaiser is National Chairman, appointed by the President.

PEABODY AWARDS CLOSE JANUARY 7

Dean John E. Drewry of the Henry W. Grady School of Journalism, University of Georgia reports a steady stream of entries for the 1946 George Foster Peabody Radio Awards. The deadline for entries is January 7.

Entries may be submitted by individual stations, networks, radio editors of newspapers and magazines, listener groups, or any person or organization wishing to direct the attention of the Peabody Board to a special program or programs. The Board in its selections will not necessarily be restricted to entries, but will consider the reports of its own listening-post committees, and may on its own initiative select a program or a station for an award. The Board also reserves the right to make more or less than seven awards, depending upon the entries and the circumstances at the time of the awards.

This year's Peabody selections will coincide with the 25th anniversary of broadcasting and therefore will, on this account, have added significance to the radio industry of this country and the world, Dean Drewry of the Grady School pointed out.

Miscellany

REQUESTS FOR JUDGE MILLER'S PICTURE

The NAB has received a number of requests from members asking for an autographed photograph of Justin Miller, NAB President.

These requests will be filled as rapidly as possible.

COMMUNICATIONS: AN IMPLEMENT TO THE PEACE

By Ray C. Wakefield

Commissioner, Federal Communications Commission

(Before the American Institute of Electrical Engineers, San Francisco and Fresno Sections, Engineers Club, San Francisco, California, December 28, 1945.)

In modern times the structure of any industry rests firmly upon its technical development. During the war, the technology of communications, as you know, has undergone revolutionary changes. I should like first to describe briefly a few of these changes and then to discuss their effects on our systems of communication, especially upon international communication.

The first of these developments is the opening up for practical utilization of the higher regions of the spectrum. Before the war, recognized communication services were for most practical purposes limited to frequencies under 300,000 kilocycles, although far higher frequencies were known, at least in theory, to be usable. As FCC Chairman Paul A. Porter expressed it in his recent testimony endorsing the proposed Federal agency for scientific research:

> "For many years, the human race has been like a fortunate young wastrel who inherits a vast estate, and then fails to use or even explore more than a portion of it."

That is no longer the case. As a result of wartime research, the upper limit of the usable radio spectrum has been raised from 300,000 kilocycles to 30 million kilocycles, or from 300 megacycles to 30,000 megacycles. This expansion of available radio channels in turn makes possible a tremendous expansion of radio services generally.

The so-called "beamed radio relay" is an example of the new services which can be established through the use of these ultra-high frequency "microwaves." Five companies have already received experimental authorizations from the Federal Communications Commission to construct experimental radio relay beams. In general, their plans involve the erection of a series of low-powered radio stations at intervals of 20 or 30 miles along such routes as New York-Boston, New York-Washington, or even New York-San Francisco. Each of these stations is equipped with highly directional antennas, of a type growing out of wartime radar research, so that it can beam a bundle of radio circuits from point to point without wasting the power of the transmitter in directions other than the direction toward which the circuits are beamed. At the next station, a similar directional receiving antenna picks up the beamed signal. It is then amplified and beamed on to the next relay point. In this way, a large number of telephone, telegraph, teletypewriter, facsimile, and television circuits can be handled simultaneously.

The newly opened regions of the spectrum have short-range characteristics; and while it is possible to overcome this short-range limitation in domestic communications by erecting chains of such stations at intervals across the country, it is not possible to utilize microwaves in this way for transoceanic communication. The region of the spectrum usable for international communications, accordingly, remains limited for the present to the lower frequencies, those below 30 megacycles. But while the band of frequencies available for international communications has not greatly increased, wartime research has brought a number of developments which make possible a much more intensive use of these bands.

One such development is "frequency shift keying" in radiotelegraphy, in which the carrier amplitude remains constant while the frequency is shifted from one value for the "mark" signal to another value for the "space" signal. The two frequencies employed may differ by only a few hundred cycles. This system tends to overcome selective fading as well as certain amounts of interference. Should the signal on either frequency fade or be interfered with, the signal on the remaining frequency can be utilized. Extensive use of this system has been made by the armed forces and several commercial companies.

A means of making many signals travel over a channel which formerly carried only one is the awkwardly-named "single sideband multitone multiplex transmission," which permits the simultaneous transmission of numerous messages on each side of the carrier, or the transmission of a telephone conversation on one side and several telegraph messages simultaneously on the other. This technique has contributed substantially toward the saving of valuable radio spectrum space.

Still another development is the adaptation of "time division multiplex telegraphy" to radio circuits. Time division multiplex has been in use on wire circuits for a number of years and with modern improvements it has

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become practicable on radio circuits. This type of multiplex operation, when combined with the use of printers, permits the handling of upward of eight telegraph channels simultaneously by means of a single radio transmitter. This system has contributed more towards the saving of frequency space than the multitone channeling system, but requires more complicated terminal office equipment than the latter.

Not only have the methods of keying radio transmitters been improved, but keying speeds have been doubled over certain circuits. Whereas 400 words per minute was considered top speed before the war, circuits handling 800 words are now in daily operation. The foregoing techniques are not, of course, necessarily cumulative but rather give alternate methods of improving reliability, speed of service, or otherwise saving frequencies.

Let me mention also "pulse time modulation" which makes use of a very interesting fact about the human ear. Just as the moving picture is made up of a series of many separate pictures run off so fast that the human eye sees them as continuous and moving, so the human ear hears a series of rapidly produced sounds as one continuous sound. Pulse time modulation makes use of this phenomenon and instead of sending out a continuous radio signal, the pulse time transmitter sends out a series of separate pulse-like signals at very frequent intervals which are received as one continuous sound. Nevertheless, the transmitter is used for only a fraction of the time to transmit a particular message, and the time between pulses is thus left available for many other messages, similarly pulse modulated. Twenty-four messages have been transmitted simultaneously in this way over a single transmitter.

A somewhat more speculative communication development is "stratovision," a means whereby airplanes, flying in circles at a height of about six miles above the surface of the earth, can be used as relay points, so that communications of all kinds originating, let us say, on the east coast, can be relayed to the west coast from plane to plane. An estimated eight planes would be necessary for such coast-to-coast relay transmission. Whether stratovision will actually develop such relay systems depends, of course, on relative economic considerations as compared with the relay beam and coaxial cable. One of the most interesting features of this stratovision operation is that the same planes which are used as relays can also be used to broadcast to the areas beneath them. One of the problems of FM and television with their relatively short distances of transmission has been how to reach the rural listeners in the wide open spaces. This broadcasting from airplanes may be an answer to that problem.

Along with these developments, improvements have been made in the facsimile transmission of pictures, printed and written matter, both by wire and radio, and the remarkable development of portable and mobile equipment, including the widely-publicized walkie-talkies and handy-talkies.

Technicalities aside, what will these developments mean in terms of ordinary human life? The answer to that question cannot be stated as yet, but I think it is safe to predict that the tremendous improvements in communications techniques which lie immediately ahead will have at least as great an effect as previous communication developments. Just as the pony express brought California into our commonwealth of states and the transcontinental railroad mail service linked us still more firmly as a nation, and just as the coming of the telegraph and the long distance telephone profoundly altered our national patterns of thought and action, so it may well be that better communications between this and other countries will strengthen and stimulate our understanding of other nations and make of us one people of one world. Just as our postal system serves any part of the world, it is necessary that the United States have available to it direct, rapid and efficient world-wide communication facilities.

In 1939, A. G. Mott, former Chief Engineer of the California Railroad Commission and now Valuation Engineer of the Board of Equalization of the State, and his wife were two of the first three passengers who circled the world by commercial airlines. A. G. took motion pictures of the trip and in the fall of 1939 brought them over to the Railroad Commission to show them to some of his old friends there and gave us an enjoyable hour or so of his experiences on the trip. In the meantime, the war had broken out in Europe, and commercial world flying had ceased. As I was talking to him afterwards, he said, "You know, the sad part about this whole thing is that technologically this trip could have been made anytime in the last 10 years. Actually, it has only been possible for two months because of human differences."

Technologically, the United States can achieve a world-wide communications system. What are some of the problems, human and otherwise, to be met? Have there been deficiencies in our prewar communications operations? If so, how can they be remedied? Perhaps the best way to answer these questions is to describe briefly the status of our privately owned communication facilities and the "wartime" world-wide communication system of the armed forces.

Our privately operated international communication assets at present consist of three major communication types. First, there are the cables, the oldest form of international communication. The British, who were the great builders of cables during the nineteenth century, retain a dominant position in the cable picture. As is shown on the charts now being distributed, Great Britain controls approximately 58% of the world's cables and the United States, roughly, 32%. The remaining 10% is divided among France, Denmark, and before the war, Italy and Germany. British cables serve some 46 major overseas points while the United States cables link 28 important communication terminals.

Challenging the primacy of the cables is the radiotelegraph, in which the United States has taken an unchallenged lead. Direct international radiotelegraph facilities link the United States to some 70 foreign points of communication as compared with British circuits to approximately 40 overseas points.

Telegraph messages destined to foreign points of communications which are not linked with the United States by direct communication facilities are transmitted to a connecting foreign carrier who then retransmits the message to its point of destination. Take, for example, messages from New York destined to Capetown, South Africa, or to Rabat, French Morocco. No direct facilities are available between the United States, on the one hand, and Capetown and Rabat, on the other. Such messages would be transmitted from New York to London or Paris where they would be received by the British or French carriers—and then retransmitted via the British or French facilities to Capetown or Rabat. The difficulties in such roundabout methods of communication are obvious. Details of the operation are duplicated, and there are frequently long hours of delay at the connecting point bottleneck, since such messages when received at London or Paris become merged into all of the telegraph traffic of the respective foreign terminal.

A third major means of international communication is the radiotelephone which now provides direct communication between the United States and 39 foreign points of communication which interconnect with the domestic telephone systems of many countries. Eventually it should be possible by means of radiotelephone and landlines to link any two telephones in any two countries of the world.

These three media of communication—the cable, the radiotelegraph, and the radiotelephone—constituted the communications facilities with which we entered the war. It quickly became apparent, however, that many points of crucial wartime importance could not be reached over these privately owned United States carriers' facilities, and that the combined capacity of such private installations was far from adequate to handle the tremendous volume of international war messages. Accordingly, great systems of communications were established by the Army and Navy. The outstanding leadership of General Frank E. Stoner, Chief of the Army Communications Service of the Signal Corps, and Admiral Joseph R. Redman, Director of Naval Communications, must be highly commended. The importance of these military systems of international communications can be indicated by the fact that the estimated investment in the Army and Navy communications systems totals at least $250,000,000 as

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compared with private depreciated investments of approximately $54,000,000 in all United States owned international cable, radiotelegraph and radiotelephone facilities.

The Army system is perhaps the only communications system which is world-wide in a literal sense. It radiates from the War Department in Washington, covering the United States by leased landline circuits. It spreads out by radio to every foreign spot where American troops have been stationed. It utilizes the "radio relays" at five strategic locations along the approximate region of the equator. By means of interconnection with teletypewriter devices, it has made the operation of these relay stations semi-automatic, capable of forwarding messages without the delay incident to manual operation. The automatic relay station in receiving the incoming message on a machine perforates a tape which is used to key the transmitter for forwarding the message. Tape perforators and automatic relay stations have also made possible the holding of teletype conferences between parties separated by one-half the circumference of the globe and over circuits which heretofore have been too long and unreliable for this type of service.

Our privately owned international radiotelegraph companies maintain direct circuits to such countries as Russia, Australia, New Zealand, India and China. Such circuits, however, cannot guarantee continuous service, and to some points may be usable only a few hours a day because of operating difficulties resulting from the long transmission paths and the proximity of such paths to the north polar regions. The great circle path followed by the radio signals in reaching their destinations approach or cross through the polar regions where they are severely attenuated. The Army's five automatic relay stations which are located at Algiers, Asmara, New Delhi, Manila, and Honolulu approach the ideal equatorial belt which has been proposed by communication engineers. The establishment of the Army communication belt recognized that radio communication in a north-south direction is, generally, more reliable than in an east-west direction, particularly in the northern and southern latitudes. Similarly, it is recognized that transmission near the equator is far more reliable than parallel transmission considerably north or south of it. Thus, the Army communications system routes messages along paths better suited for reliable communication. A message to Moscow, for example, instead of being sent by the direct path from San Francisco and thus being exposed to the absorption encountered in the auroral regions, could be transmitted by wireline to Washington, then by radio to Algiers from where it is automatically relayed to Moscow. This routing avoids the auroral zone and each portion of the route would cover a comparatively short distance. Twenty-four hours a day communication is thus afforded, whereas over the commercial direct radio route reliable communication is afforded for only a portion of the day.

Expensive and elaborate equipment at both ends of a long direct circuit is required even though little traffic moves over the circuit. The non-availability of such equipment at low volume traffic points, in many instances, has precluded the establishment of direct circuits between the United States and particular foreign points. The Army relay stations have been advantageously used as a relay point for traffic to and from many of such low volume centers, thus making possible the use of comparatively inexpensive facilities at the foreign end.

As a result of this and other advantages, our international military communications are the finest that the world has ever known. Some military circuits can handle messages at a rate of 800 words per minute—as compared with cable speeds of 40 to 60 words per minute, and private radiotelegraph speeds averaging 60 words per minute. The Army and Navy networks have handled as many as 50,000,000 words per day, compared with a capacity of roughly 12,500,000 words per day for all the United States private carriers combined. By use of the Army's semi-automatic relay system, it takes a message 3½ minutes to circle the globe. This vast system has made us aware for the first time of how good a world-wide communications system can be.

If we are to have the best possible postwar system of international communications, rather than returning to the standards of the prewar period, it seems to me that certain definite steps must be taken in the immediate future. I should like briefly to outline these steps—not as a matured plan for postwar international communications, but as a bare minimum of what must be done, and done immediately, to provide the kind of international service we need, want, and have a right to expect.

First: Strategically located radio relay stations must be established.

In considering this matter, one thing must be borne in mind; namely, that the private carriers, and the same would be true of a government in peace times, will not have the same opportunity that the Army had in setting up its world-wide communications system to place radio transmitters, relay stations or receivers at almost any place in allied or friendly countries where they were needed or could be best used. The very general practice among nations, to which we rigidly adhere, is that no one but a national citizen, or a corporation of any sovereign nation, or the government itself can operate communication transmitters upon its territory. This means that (1) despite the fact that semi-automatic relays are not used for original transmissions, diplomatic problems are involved in placing relay stations on foreign territory, and (2) that unlike the Army system which also operated the foreign end of each of its circuits, United States communication carriers must communicate with the foreign agency at the foreign end of each circuit.

The Algiers, Asmara, and New Delhi relay points used by the superlative Army system were made available to the United States for the duration of the war and six months thereafter. Accordingly, we cannot continue to operate them in the future under existing arrangements. However, other strategic relay points may well be available for American operation. For example, three United States carriers plan to establish radio relays at the International Settlement of Tangier which will serve the same function hereafter that the Army-Algiers installation has served during the war. Arrangements for one or two additional relay points to close the gap from Tangier to the Philippines and Hawaii might well make it possible for us to continue the world-wide Army relay belt which I have described.

Second: We need immediate policies with respect to the disposal of surplus military communications equipment which will insure that that equipment remains continuously useful. Certainly the disposition of the Army relay stations should await immediate diplomatic exploration. There are also other types of communication equipment. At present, such equipment is scattered all over the face of the earth. Under the policy effected in the administration of the Surplus Property Act, such surplus military communications property cannot be imported into the United States for commercial purposes. Accordingly, it must either be junked or used abroad. It is of the utmost importance to postwar world-wide communications that this equipment not be junked but rather be kept in working order as part of the kind of communications system which we want and need.

As I have stated, international communication is of necessity a two-way system. It follows that a rapid, efficient and world-wide system of communications depends upon the equipment, practices, and cooperation of the foreign agencies. Accordingly, it is to our interest to do whatever is possible to assist foreign agencies in establishing their own efficient communication centers. Inferior equipment at a foreign point can delay and impede our messages. Indeed, the failure of the United States international carriers to establish a more efficient world-wide system has been attributed in no small part to the non-availability of equipment at the foreign end—or to the inferior equipment in the hands of the foreign carriers with which they communicate. It may well be, accordingly, that one of the most important steps we can take to improve our own international communications is to make any surplus Army and Navy equipment available on the most reasonable possible terms and conditions to such foreign agencies with which we communicate and to those whose lack of facilities will not presently permit the establishment of direct circuits to this country.

Finally, and of the utmost importance, it is my opinion

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that the kind of international communications system we want cannot be achieved without a merger into one company of all of our privately-owned international telegraph and cable carriers, except Press Wireless.

The development of our privately-owned international communications system has been on the basis of bitter competitive struggles among private commercial groups. There are eight international telegraph companies organized for the purpose of handling all classes of traffic, besides Press Wireless which has built up a world-wide system to major points, originally for the purpose of handling press traffic exclusively. During the war, it has been authorized to handle government messages and in some instances commercial traffic. R.C.A. Communications, Inc., and Mackay Radio and Telegraph Company compete in the radiotelegraph field on a world-wide basis. The Commercial Cable Company and Western Union Telegraph Company compete in the Atlantic cable field but link the United States directly to only a few major points of communications in Europe. Commercial Pacific Cable Company, one-fourth American owned, and Globe Wireless operate directly to a relatively few points in the Pacific. Tropical Radio Telegraph Company serves the Caribbean area and Central America and the northern part of South America. The All America Cable and Radio Company and Western Union operate cables to Latin America. Several of these companies—Commercial Cables, All America, Mackay, and the American fourth of Commercial Pacific—are under the common control of the International Telephone and Telegraph Company. The maps which are being circulated show the comparative operations of each company.

Most of those who work in the international communications field, both in government and in industry, agree that the competition of the United States carriers has forced a wasteful duplication of investment, costs of service and facilities; that it has required the expenditure of effort and resources of the carriers in their attempts to divert business at major points of communications from one to the other; and that such competitive operations do not readily lend themselves to the routing and distribution of international traffic in the manner most likely to assure prompt and efficient service. Of perhaps even more importance is the fact that competitive carriers make less than full use of the scarce and limited radio frequencies. Despite the rapid improvement in the radio art, the supply of radio channels is still limited, and maintaining two circuits along a route where the traffic could be handled by one is clearly wasteful.

The frequency saving argument is an important one. The radio frequencies best suited for long distance communications are so scarce that there is virtual agreement among interested United States Government agencies that no such frequencies will be used for domestic communication where wirelines are or can be made available.

What to do with our existing international cables constitutes one of our major postwar communication problems. Radio has forged ahead of cables as a method of communication and has proved itself to be a far less expensive, as well as a more versatile, method of communication. United States radiotelegraph carriers, as stated, have established direct circuits with 70 foreign points as compared with 28 served by direct cable connections; yet the investment, after depreciation, in radiotelegraph is only $10,000,000 as compared with $39,000,000 for cables.

Prior to May 1945, cable and radiotelegraph rates were largely geared to cable costs rather than low cost radio operations. Rates were predicated upon the much higher cable investment costs and distance factors, despite the fact that distance has a very small effect upon the cost of transmitting an international radiotelegraph message. Thus, there arose a pattern of non-uniform rates. Until May 1945 the full rate to London was 20¢ per word, with a press rate of 3¢ a word. The full rate to Finland was 29¢, to Czechoslovakia 31¢, to Bulgaria 33¢, and to Russia 30¢ a word, with a press rate which ranged from 4¢ to 9¢ a word, depending upon the United States carriers' route over which the traffic was sent. The full rate to China was 88¢ per word and the press rate varied according to the agreement reached by the United States carrier with the Chinese National Government, ranging from 12½¢ to 16¢ per word.

Since May 1945, for the first time in the history of United States communications, a 20¢ uniform rate, more nearly geared to radio costs and disregarding distance factors, is developing to apply to traffic from the United States to foreign points of communication throughout the world. It applied first to the European continent. It was then extended to Latin America and to the Philippine Islands. Recently, it was extended to traffic from the United States to China and to Asiatic Russia. Press rates to many points of communication have also been reduced. But rates which apply to traffic between the United States and Africa, parts of the Asiatic area, to British Empire points of communication, and to French Empire points of communication remain at their prewar high cable-geared level. For example, the present full rate to Algiers is 30¢ a word, to French Indo-China 81¢, to Cairo 42¢, to Bombay 46¢, to Gambia 81¢, to Australia 60¢, and to New Zealand 58¢.

Just a few weeks ago, a conference between United States and British Government and communication representatives was held in Bermuda. Among other problems determined at that conference was the one with respect to the high rates between the United States and many British Empire points. As a result of this conference, it was agreed that, not later than April 1, 1946, rates between any point in the United States and any place in the British Empire will be not more than 30¢ per full rate word and the press rate will be reduced to not more than 6½¢ per word. Since this 30¢ ceiling will include any necessary landline handling, it more nearly approaches the 20¢ uniform international rate previously established from gateway points in the United States to other foreign points of communication.

Some advocates of merger believe that consolidation should be limited to permitting radio carriers to merge in one company and cable operators in a second company, and that these two companies should fight it out to see which shall survive. The argument advanced in favor of this is that a merged company, embracing both radio and cable, may be weighted with the present depreciated investment in cables of $39,000,000 and would, therefore, be held back in its greatest use of radio by its desire to protect its cable investment. Obviously, on an investment cost basis, cables cannot effectively compete with radio, except possibly on the heavy traffic routes.

Against this, however, are the facts that neither the military authorities nor the State Department have ever officially taken the position that cables may not still be required for privacy and secrecy, and that it may be desirable to retain cables between points of *high traffic density* for the purpose of saving frequencies, and that some engineers believe that cable operation still may be as economical as radio operation along heavy traffic lanes, such as between New York and London. In connection with the argument regarding preservation of cables for military and diplomatic security purposes, it is a fact, however, that many top Army and Navy communications authorities have stated that radio operations can now be made as secret as cables.

The British are much more inclined than we are to attempt to protect the full existing investment in cables. However, the fact that they are not unanimous in this view is shown by the following letter written by Sir Ernest Fiske, formerly a director of the Amalgamated Wireless of Australia, a subsidiary of Cable and Wireless, Limited, which appeared in the *London Times* on October 16, 1945.

> "May I open this letter by stating that I have no personal interest in the economics of any newspaper or Press association. I have, however, a keen and long-established interest in the utility and efficiency of British oversea communication services, in which field I have been directly occupied both in pioneering and in operating for many years.
>
> "I have read the published copy of a letter from the president of the Empire Press Union to the Prime Minister's adviser on public relations concerning the important question of telegraph charges for Press messages between the separate parts of the British Commonwealth

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and Empire, and I am surprised to learn that there should be, in these days, any suggestion of increasing the charges for such communications. I can only imagine one reason to justify any increase in these charges—namely, that the high costs of an older submarine cable service are to be met out of the revenues of more up-to-date beam wireless services. Without such a handicap beam wireless, with its modern improvements, should be capable of linking all British territories for high-speed telegraph communication with great efficiency and at low cost.

"The question whether submarine cables are essential for defense purposes is one to be determined by the expert defense advisers to the Governments, but an alternative question whether a modern system of commercial communication ought to be shackled with a cost required largely for security is one of great concern to the Press, to the commerce, and to the social welfare of British people in all parts of the world. No reasonable person would suggest that revenues earned by the British Merchant Marine should be applied to the support of the Navy, nor that the traffic charges of commercial air services should be handicapped by the cost of maintaining a defensive Air Force.

"British territories are located round and about the world in a manner which permits effective use to be made of modern science and engineering to provide efficient radio telegraph and radio telephone services with far greater carrying capacity and much lower operating costs than are possible with long submarine cables. Fuller use of these modern developments, which are largely British in their origin, would involve relatively low capital outlay and would provide such efficient means of communication and such high traffic capacity as to permit of much lower charges being made for all classes of traffic that exist today. In such circumstances there should be no suggestion of increasing the Press rate, but rather investigation as to the possibility of substantial reduction for all classes of traffic. The urgent necessity for developing the vast resources of the British nations and colonies all over the world is now widely appreciated, and I submit that a major contributing factor in that development should be the utmost use of scientific and engineering knowledge in the field of cheap and efficient oversea communications."

While I might want to debate with Sir Ernest his assertion that modern radiotelegraph developments are "largely British in their origin," if by this he means predominately so, I agree with his philosophy of international telegraph operations and rate making. I have long felt that if cables are to be maintained solely for security purposes, the cost of this operation should be borne by the taxpayer rather than the rate payer.

It is evident that the same issue of high cable investments vs. low radiotelegraph costs, and the same need for cheap world-wide telecommunications must be faced by the United States. It is my opinion that any sensible United States postwar communications program must recognize the increasing obsolescence of existing cable facilities, and that the merged company should take over the existing cables at a price which would be commensurate with their *value* in a merged world-wide communications system. All existing cables may well be used as a part of a general communications system so long as the expense of replacement and major repairs does not appear formidable. It is essential, however, that a merged company not be saddled with an investment in cables higher than their worth in a technically advancing industry and that adequate provision be made for amortization following the merger.

It is my further opinion that there is considerable merit to the arguments which have been advanced for the continued existence of Press Wireless, Inc., as an independent carrier devoted exclusively to the handling of press messages, provided that adequate frequencies can be found to permit the maintenance of an independent press communications agency. This would involve the return of Press Wireless to its prewar status of being strictly a press carrier and an abandonment of its emergency wartime commercial and governmental traffic services. It is not contemplated that the merged carriers shall be prohibited from transmitting press messages, but that the exclusive press carrier should concentrate its operations upon the special needs and requirements of the press for high priority in transmission of press material at low rates throughout the world. One of the prime reasons for the organization of Press Wireless in 1929 was the fact that the less profitable press business was neglected by the commercial carriers for commercial and high priority government business.

It is possible that eventually the merged carrier will supply the press with service so good at rates so low that a separate press carrier will not be necessary. But until then, I believe that the public and the news agencies of this country are entitled to the continued independent operation of Press Wireless as a carrier of press messages exclusively. However, to permit Press Wireless to continue to handle other types of traffic will defeat the purpose for which it was organized, and for which it should be continued.

An objection to merger of any kind is the argument that it would abolish competition and that competition is a means whereby benefits are conferred upon the public in the way of better or more efficient goods or services at lower costs. This argument loses much of its weight with reference to public utility operations. Moreover, the type of merger I propose, involving only radiotelegraph and cable carriers, retains very real competition. Even if cable and radiotelegraph companies were merged into a single concern, with Press Wireless exempt from the merger, competition would nevertheless remain among three media of communications—the airmail, the merged radiotelegraph and cable carriers, and radiotelephone. Inferior service or high rates on one type of operation would shift traffic to another. The essence of competition would be retained, while the waste resulting from duplication of identical circuits between identical points would be eliminated. Moreover both the American Telephone and Telegraph Company and Press Wireless have been responsible for many technological communication advances. Exclusion of these companies from the merged carrier will continue to serve as a stimulus to the merged carrier to use the most modern equipment and will provide a yardstick as to whether it is doing so.

Let me conclude with a word about the deeper significance of the various communication developments which I have described. At the technological level, it seems to me, we have no cause for concern. Our scientists and engineers during the war have outdistanced even their own marvelous prewar achievements. I am confident that this type of progress will continue unabated. More difficult is the problem of organizing these media of communication upon sound, economic, and social foundations, so that they will be freely available for the use of the people of the world. And more difficult still will be the ultimate task of assuring that the organized communication facilities of the world will be used in the interests of peace and world unity.

They can contribute greatly to the solution of the tremendous problems which lie ahead of us. No matter what machinery of world organization is evolved, permanent peace cannot come without a more perfect understanding among the people and governments of the world, and such a world-wide communication system as I envision can contribute mightily to that understanding. This much of a contribution to world peace is almost certain. Whether beyond that, they help produce a better world depends upon the use we make of them.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 31. They are subject to change.

(Continued on next page)

Wednesday, January 2

NEW—George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a partnership d/b as New Iberia Broadcasting Company, New Iberia, La.—C. P., **1240 kc.**, 250 watts, unlimited.

To Be Held Before Commissioner Wakefield
In Court Room of United States District Court, Federal Building, Fresno, California

NEW—FM Radio and Television Corp., San Jose, Calif.—C. P., **1370 kc.**, 500 watts night, 1 KW day, unlimited.

NEW—Broadcasters, Inc., San Jose, Calif.—C. P., **1370 kc.**, 1 KW night, 1 KW day, unlimited, DA-day and night.

NEW—United Broadcasting Company, San Jose, Calif.—C. P., **1380 kc.**, 250 watts, unlimited.

NEW—DeHaven, Hall and Oates, Salinas, Calif.—C. P., **1380 kc.**, 1 KW, unlimited.

NEW—Central California Broadcasters, Inc., Berkeley, Calif.—C. P., **1380 kc.**, 1 KW night, 1 KW day, unlimited DA-night.

Thursday, January 3

To Be Held Before Commissioner Denny
In the Grand Jury Room, Federal Building
Capitol Street, Charleston, West Virginia

NEW—James H. McKee, Charleston, W. Va.—C. P., **1240 kc.**, 250 watts, unlimited.

NEW—Capitol Broadcasting Corp., Charleston, W. Va.—C. P., **1240 kc.**, 250 watts, unlimited.

NEW—Gus Zaharis and Penelope Zaharis, d/b as Chemical Broadcasting Co., Charleston, W. Va.—C. P., **1240 kc.**, 250 watts, unlimited.

Thursday, January 3

Consolidated Hearing

NEW—Syracuse Broadcasting Corp, Syracuse, N. Y.—C. P., **1260 kc.**, 5 KW night, 5 KW day, unlimited DA-night.

WLEU—WLEU Broadcasting Corp., Erie, Pa.—C. P., **1260 kc.**, 1 KW night, 5 KW day, unlimited DA-night.

Other Participants

The Yankee Network, Inc., Intervenor.

Friday, January 4

NEW—Bruce Bartley & F. L. Pruitt d/b as Bremerton Broadcast Company, Bremerton, Wash.—C. P., **1250 kc.**, 250 watts, unlimited.

Because of the holiday this week there was no routine meeting of the Commission.

Federal Communications Commission Action

APPLICATIONS GRANTED

WDAD—Indiana Broadcast, Inc., Indiana, Pa.—Granted modification of construction permit, which authorized a new standard broadcast station, for installation of a new transmitter and changes in ground system. The permittee hereunder is granted a waiver of Secs. 3.55 (b) and 3.60 of the Commission's Rules; conditions.

WAIR—WAIR Broadcasting Co., Winston-Salem, N. C.—Granted construction permit to install new vertical antenna and change transmitter location to So. Stratford, Winston-Salem, N. C.

WHTB—Voice of Talladega, Inc., Talladega, Ala.—Granted license to cover construction permit for new station to operate on **1230 kc.**, 250 watts, unlimited time. Also granted authority to determine operating power by direct measurement of antenna power. The licensee is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's rules; conditions.

W2XJT—Wm. B. Still tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Granted license to cover construction permit authorizing a new experimental television broadcast station; frequencies: Channel #13, **210-216 mcs.**; emission A5 and special for FM: Power: Vis 400 watts (peak); Aur; 100 watts; unlimited time. The license is granted subject to changes in frequency assignment which may result from proceedings in Docket 6651, upon an experimental basis only; conditions.

KVAN—Vancouver Radio Corporation, Vancouver, Wash.—**930 kc.**, 1 KW night, 1 KW day, directional antenna day and night. Unlimited.

KSEI—Radio Service Corporation, Pocatello, Idaho—**930 kc.**, 5 KW night, 5 KW DA, DA-unlimited.

KOVO—KOVO Broadcasting Company, Provo, Utah—**960 kc.**, 1 KW, unlimited DA-night.

NEW—United Broadcasting Company, Ogden, Utah—**960 kc.**, 250 watts, unlimited.

NEW—Bernard Lee Blum, Waterbury, Conn.—**1240 kc.**, 250 watts, unlimited.

NEW—Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, a partnership, Waterbury, Conn.—**1240 kc.**, 250 watts, unlimited.

NEW—Harold Thomas, Waterbury, Conn.—**1240 kc.**, 250 watts, unlimited.

NEW—Associated Electronic Enterprises, Woonsocket, R. I.—**1240 kc.**, 250 watts, unlimited.

NEW—Norwich Broadcasting Company, a partnership composed of H. Ross Perkins and J. Eric Williams—**1240 kc.**, 250 watts, unlimited.

WGTM—Penn Thomas Watson, Wilson, N. C.—**590 kc.**, 5 KW night, 5 KW day, DA-night and day, unlimited.

WGBR—Eastern Carolina Broadcasting Company, Goldsboro, N. C.—**590 kc.**, 5 KW, unlimited, DA-night and day.

WFTC—Jonas Weiland, Kinston, N. C.—**590 kc.**, 5 KW night and day, DA-unlimited.

WSLS—Roanoke Broadcasting Corporation, Roanoke, Va.—**590 kc.**, 1 KW night and day, DA-unlimited.

WLVA—Lynchburg Broadcasting Corporation, Lynchburg, Va.—**610 kc.**, 1 KW night and day, DA-unlimited.

NEW—Edgar T. Bell, Peoria, Ill.—**1350 kc.**, 1 KW, unlimited DA-day and night.

NEW—Central Illinois Radio Corporation, Peoria, Ill.—**1340 kc.**, 250 watts, unlimited.

NEW—WJPS, Inc., Evansville, Ind.—**1330 kc.**, 1 KW, unlimited DA-night.

NEW—Tri-State Broadcasting Corporation, Evansville, Ind.—**1330 kc.**, 5 KW night and day, DA-unlimited.

NEW—Booth Radio Stations, Inc., Flint, Mich.—**1330 kc.**, 1 KW night and day, DA-unlimited.

NEW—Wabash Valley Broadcasting Corporation, Terre Haute, Ind.—**1350 kc.**, 5 KW night and day, DA-unlimited.

NEW—Wichita Broadcasting Company, Inc., Wichita, Kans.—**1490 kc.**, 250 watts, unlimited.

NEW—Air Capital Broadcasting Company, Inc., Wichita, Kans.—**1490 kc.**, 250 watts, unlimited.

NEW—Louis Levand, Max Levand, and John Levand d/b as The Wichita Beacon Broadcasting Company, Wichita, Kans.—**1490 kc.**, 250 watts, unlimited.

NEW—KAIR Broadcasting Company, Inc., Wichita, Kans.—**1490 kc.**, 250 watts, unlimited.

NEW—KTOP, Inc., Topeka, Kans.—**1400 kc.**, 250 watts, unlimited.

KTSW—Emporia Broadcasting Company, Inc., Emporia, Kans.—**1490 kc.**, 250 watts, unlimited.

NEW—Adelaide Lillian Carrell, Wichita, Kans.—**1490 kc.**, 250 watts, unlimited.

MISCELLANEOUS

WIP—Penna. Broadcasting Co., Philadelphia, Pa.—Granted petition for leave to intervene in the consolidated proceeding now scheduled to be held Jan. 7 to 11, 1946, and the issues in re applications of the Metropolitan Broadcasting Service and Donald Flamm were amended and enlarged.

(Continued on next page)

Paul D. P. Spearman, Jackson, Miss.—Granted petition for leave to amend his application for a new station, and the application was removed from the hearing docket, provided, however, that within a reasonable time the petitioner shall file with the Commission his proposed amendment specifying the frequency upon which he proposes to operate.

Booth Radio Stations, Inc., Logansport, Ind.—Granted petition to dismiss without prejudice application for a new station. (B4-P-4108)

Luther E. Gibson, Vallejo, Calif.—Granted petition to dismiss without prejudice application for a new station. (B5-P-2787)

WWPG—Palm Beach Broadcasting Corp, Palm Beach, Fla. —Granted petition for leave to intervene in the hearing on applications of Roderick T. Peacock, Sr., tr/as Daytona Beach Broadcasting Co., and Wade R. Sperry, et al, d/b as Daytona Beach Broadcasting Co.

FM Radio & Television Corp., San Jose, Calif.—Granted motion for leave to amend application for new station.

The Wichita Beacon Broadcasting Co., Wichita, Kans.—Granted petition for leave to amend application for construction permit (Docket 6978), and the amendment filed with the motion was accepted.

KAIR Broadcasting Co., Inc., Wichita, Kans.—Granted petition for leave to amend application for construction permit (Docket 6979), and the amendment filed with the motion was accepted.

Methodist Radio Parish, Inc., Flint, Mich.—Granted motion to amend application and the amendment filed with the motion was accepted and application as amended, removed from hearing docket.

WCAE—WCAE, Inc., Pittsburgh, Pa.—Denied petition for leave to intervene in the hearing on applications of WREN, et al, for use of the **1250 kc.** frequency.

WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—Granted petition for leave to intervene in the hearing on application of Va. Broadcasting Corp. for a new station at Roanoke, Va.

WSUN—City of St. Petersburg, St. Petersburg, Fla.—Granted petition for leave to intervene in the consolidated hearing now scheduled for March 8, and 11 to 16, 1946, re applications of WDNC, WROL, etc.

WICC—The Yankee Network, Inc., Bridgeport, Conn.—Granted petition for leave to intervene and for enlargment of issues in re the applications of The Metropolitan Broadcasting Service, New York, and Donald Flamm, New York, scheduled for hearing on January 7 to 11.

Diamond State Broadcast Corp., Dover, Del.—Granted motion for continuance of hearing on its application from January 3 to Feb. 4, 1946.

Southern Media Corp., Coral Gables, Fla.—Granted petition for leave to amend its application for a new station, and the amendment filed with petition was accepted.

Glens Falls Publicity Corp., Glens Falls, N. Y.—Granted petition for leave to amend its application for a new station, and the amendment covering the matters was accepted and application as amended, removed from the hearing docket.

Muscatine Broadcasting Co., Muscatine, Iowa—Granted petition for leave to amend application for a new station.

Eleanor Patterson, tr/as The Times Herald, Washington, D. C.—Granted motion to dismiss without prejudice application for construction permit for a new television station.

WNAC—The Yankee Network, Inc., Boston, Mass.—Granted petition for leave to intervene in the consolidated hearing upon applications of WLEU, Erie, Pa., and Syracuse Broadcasting Corp., Syracuse, N. Y., and the issues in these proceedings were amended and enlarged.

San Bernadino Broadcasting Co., Inc., San Bernadino, Calif. —Granted petition for leave to amend its application for a new station so as to show changes in applicant corporation.

Fayette Associates, Inc., Montgomery, W. Va.—Granted petition to take depositions in re its application for a new station, a hearing on which is scheduled for Jan. 17-18, 1946.

Radio Corp. of Cedar Rapids, Cedar Rapids, Iowa—Granted petition to take depositions in re its application for a new station now scheduled for hearing Feb. 11-14, 1946.

Central Ill. Radio Corp., Peoria, Ill.—Granted petition for leave to amend its application for new station so as to specify frequency **1290 kc.** instead of **1340 kc.**; the amendment was accepted and the application as amended, redesignated for hearing in consolidation with application of Greater Peoria Radio Broadcasters, Ill. Valley Broadcasting Co., and F. F. McNaughton, all of Peoria, Ill.

Caprock Broadcasting Co., Lubbock, Texas—Granted petition for leave to amend its application for a new station so as to request frequency **1590** instead of **550 kc.**; and the application was removed from the hearing docket, provided, however, that petitioner shall file its proposed amendment with the Commission within 15 days from December 27, 1945.

WSAV—WSAV, Inc., Savannah, Ga.—Granted petition for leave to amend application for construction permit, and the amendment filed with petition was accepted.

Permian Basin Broadcasting Co., Odessa, Texas—Granted petition for leave to amend application for construction permit, and the amendment filed with petition was accepted.

NEW Iberia Broadcasting Co., New Iberia, La.—Granted motion insofar as petitioner seeks a 30-day continuance of hearing on its application for a new station now scheduled for January 2, 1946, and the hearing was continued from January 2 to March 6, 1946.

WINX—WINX Broadcasting Co., Washington, D. C.—Granted petition for leave to intervene in the hearing now scheduled for Feb. 4, 1946, on the application of Diamond State Broadcast Corp. for a new station in Dover, Delaware.

WERC—Presque Isle Broadcasting Co., Erie, Pa.—Granted petition for leave to intervene in the consolidated hearing on applications of Syracuse Broadcasting Corp., Syracuse, N. Y., and WLEU, Erie, Pa., scheduled for January 3, 1946.

United Broadcasting Co., San Jose, Calif.—Granted petition for leave to amend its application for a new station so as to specify the frequency **1370 kc., 1 KW** power day and night, instead of **1380 kc.**, 250 watts, day and night, and the amendment was accepted.

NOTICES OF HEARING MAILED BY DOCKET SECTION

WBOC—The Peninsula Broadcasting Company, Salisbury, Md.—**960 kc.**, 1 KW, unlimited DA-for night use.

NEW—Eastern Shore Broadcasting Company, Preston, Md. —**970 kc.**, 500 watts, unlimited DA-for night use.

WRRN—Frank T. Nied and Perry H. Stevens, d/b as Nied and Stevens, Warren, Ohio—**1440 kc.**, 5 KW, unlimited DA-night & day.

WHIS—Daily Telegraph Printing Company, Bluefield, W. Va.—**1440 kc.**, 5 KW, unlimited DA-night.

NEW—I. K. Corkern, Bogalusa, La.—**1490 kc.**, 25 watts, unlimited.

NEW—Roderick T. Peacock, Sr., tr/as Daytona Beach Broadcasting Company, Daytona Beach, Fla.—**1340 kc.**, 250 watts, unlimited.

NEW—Wade R. Sperry, Edgar J. Sperry and Josephine T. Sperry, co-partners, d/b as Daytona Beach Broadcasting Company, Daytona Beach, Fla.—**1340 kc.**, 250 watts, unlimited.

NEW—Central Broadcasting Corporation, Corpus Christi, Texas—**1230 kc.**, 250 watts, unlimited.

NEW—Howard W. Davis tr/as The Walmac Company, Corpus Christi, Texas—**1230 kc.**, 250 watts, unlimited.

NEW—Old Dominion Broadcasting Corporation, Lynchburg, Va.—**1390 kc.**, 1 KW, unlimited DA-night and day.

WBTM—Piedmont Broadcasting Corporation, Danville, Va. —**1390 kc.**, 1 KW, unlimited DA-night and day.

WCSC—John M. Rivers, Charleston, S. C.—**1390 kc.**, 5 KW, unlimited DA-night.

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio—**630 kc.**, 100 watts night, 250 watts day, unlimited.

NEW—Queen City Broadcasting, Inc., Cincinnati, Ohio—**630 kc.**, 5 KW, unlimited DA-night and day.

WLAP—American Broadcasting Corporation, Lexington, Ky. —**630 kc.**, 1 KW night, 5 KW day, DA-night & day, unlimited.

(Continued on next page)

NEW—N. Pratt Smith, Flagstaff, Ariz.—**1340 kc.**, 250 watts, unlimited.

NEW—James L. Stapleton, Jesse Martin Neil, Jr., and Duard K. Nowlin d/b as Grand Canyon Broadcasting Company, Flagstaff, Ariz.—**1340 kc.**, 250 watts, unlimited.

NEW—Rupert W. Bradford and Harry F. Pihl, a partnership, d/b as Bemidji Broadcasting Company, Bemidji, Minn., Bemidji, Minn.—**1450 kc.**, 250 watts, unlimited.

NEW—Russell E. Kaliher, Bemidji, Minn.—**1450 kc.**, 250 watts, unlimited.

NEW—Albert S. Drohlich and Robert A. Drohlich d/b as Drohlich Brothers, Flint, Mich.—**1470 kc.**, 1 KW, unlimited DA-night & day.

NEW—Booth Radio Stations, Inc., Grand Rapids, Mich.—**1470 kc.**, 1 KW, unlimited DA-night and day.

NEW—Valley Broadcasting Association, Inc., McAllen, Texas —**910 kc.**, 1 KW, unlimited, directional antenna.

NEW—Howard W. Davis, McAllen, Texas—**910 kc.**, 1 KW, unlimited DA-night.

KEEW—Radio Station KEEW, Ltd., Brownsville, Texas—**910 kc.**, 1 KW, unlimited DA-night and day.

KRRV—Red River Valley Broadcasting Corporation, Sherman, Texas—**910 kc.**, 5 KW, unlimited DA-night and day.

NEW—Voice of Augusta, Inc., Augusta, Ga.—**1340 kc.**, 250 watts, unlimited.

NEW—The Augusta Chronicle Broadcasting Company, Augusta, Ga.—**1340 kc.**, 250 watts, unlimited.

NEW—Savannah Valley Broadcasting Company, Augusta, Ga.—**1340 kc.**, 250 watts, unlimited.

NEW—John L. Plummer tr/as John L. Plummer Enterprises, Bogalusa, La.—**1490 kc.**, 250 watts, unlimited.

NEW—J. O. Emmerich, Bogalusa, La.—**1490 kc.**, 250 watts, unlimited.

DOCKET CASE ACTION

The Federal Communications Commission today announced adoption of an Order making its Proposed Findings of Fact and Conclusions (B 213), dated September 4, 1945, as modified, the Commission's Findings of Fact and Conclusions, in the matter of applications of KOMA, Inc. (KOMA), Oklahoma City, Okla., and Hugh J. Powell (KGGF), Coffeyville, Kans.

APPLICATIONS FILED AT FCC

1240 Kilocycles

KANS—The KANS Broadcasting Co., Wichita, Kans.—Voluntary assignment of license to Kansas Broadcasting Inc.

1450 Kilocycles

NEW—Ruth Braden Weber, Edward F. Braden, George E. Mead, John H. Braden, Lala Braden Bouthton and Kirke M. Beall, d/b as Escambia Broadcasting Company, Pensacola, Fla.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended to change studio location. (call "WBSR" reserved.)

FM APPLICATION

NEW—Lee Segall Broadcasting Co., Houston, Texas—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage of 11,900 square miles.

TELEVISION APPLICATIONS

NEW—The Crosley Corporation, Cincinnati, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #1, **50-56 mcs.** and ESR of 8630. Amended to change frequency from Channel #1, **50-56 mcs.** to Channel #4, **66-72 mcs.**

NEW—The Crosley Corporation, Columbus, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #2, **60-66 mcs.** and ESR of 6850. Amended to change frequency from Channel #2, **60-66 mcs.**, to Channel #3, **60-66 mcs.**

NEW—The Crosley Corporation, Dayton, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #4, **78-84 mcs.**, and ESR of 1920. Amended to change frequency from Channel #4, **78-84 mcs.**, to Channel #5, **76-82 mcs.**

NEW—Television Productions, Inc., San Francisco, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #4, **66-72 mcs.**, and ESR of 14800. Amended to change ESR from 14800 to 1380.

MISCELLANEOUS

KUSC—University of Southern California, Los Angeles, Calif.—Modification of construction permit (B5-PED-31), as modified, which authorized a new non-commercial educational broadcast station for extension of commencement and completion dates from 6-21-45 and 12-21-45 to 12-21-45 and 6-21-46, only.

Federal Trade Commission Docket

No complaints, cease and desist orders, or stipulations were issued this week by the Commission.

AYRES FTC CHAIRMAN

W. A. Ayres, of Kansas, becomes Chairman of the Federal Trade Commission on January 1, to serve during the calendar year 1946. Commissioner Garland S. Ferguson, of North Carolina, becomes Vice Chairman.

Commissioner Ayres has been a member of the Commission since 1934 when he was appointed by President Roosevelt to fill the unexpired term of Commissioner James M. Landis. He was appointed for the full seven-year term in 1940. He becomes Chairman for the third time, the office rotating annually among the five members.